

AGENDA

TUSAYAN PLANNING AND ZONING COMMISSION JOINT MEETING WITH TUSAYAN TOWN COUNCIL

PURSUANT TO A.R.S. § 38-431.02 & §38-431.03

Tuesday, March 24, 2015 @ 5:30pm

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Tusayan Planning and Zoning Commission, the Tusayan Town Council, and to the general public that the commission will hold a meeting open to the public on Tuesday, October 28, 2014 at the Tusayan Town Hall Building. The commission may change, in its discussion, the order in which any agenda items are discussed during the course of the meeting.

Persons with a disability may request a reasonable accommodation by contacting the Town Manager (928) 638-9909 as soon as possible.

As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it at this time to minimize disruption of today's meeting.

PLANNING AND ZONING COMMISSION AGENDA

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

**CHAIR JOHN SCHOPPMANN
VICE CHAIR ROBERT GOSSARD**

**COMMISSIONER CLAYANN COOK
COMMISSIONER BETH HEARNE
COMMISSIONER JANET ROSENER**

**MAYOR GREG BRYAN
VICE MAYOR CRAIG SANDERSON**

**COUNCILMEMBER BILL FITZGERALD
COUNCILMEMBER AL MONTOYA
COUNCILMEMBER JOHN RUETER**

3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Members of the public may address the Commission on items not on the printed agenda. The Commission may not discuss, consider or act upon any matter raised during public comment. Comments will be limited to three minutes per person.

4. CONSENT AGENDA

Approval of the Minutes of the Regular Meeting held on 10/28/14

5. ACTION ITEM

Consideration, discussion, and possible approval of the Tusayan Subdivision Regulations

6. DISCUSSION ITEM

Conceptual Site Plan for Kaibab Village

7. MOTION TO ADJOURN

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the General Store in Tusayan, Arizona on this _____ day of March, 2015 at _____ pm in accordance with the statement filed by the Tusayan Town Council.

Signature of person posting the agenda

ITEM NO. 4

TUSAYAN PLANNING AND ZONING COMMISSION

PURSUANT TO A.R.S. 38-431.02 & 38-431.03

TUESDAY, OCTOBER 28, 2014 @ 6:00 pm

TUSAYAN TOWN HALL

845 Mustang Drive, Tusayan, Arizona

PLANNING AND ZONING COMMISSION MEETING SUMMARIZED MINUTES

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Schoppmann called the meeting to order at 6:00 pm and the Pledge of Allegiance was recited.

2. ROLL CALL

Upon roll call, the following were present:

**CHAIR JOHN SCHOPPMANN
VICE CHAIR ROBERT GOSSARD
COMMISSIONER CLAYANN COOK
COMMISSIONER BETH HEARNE
COMMISSIONER JANET ROSENER**

TOWN COUNCIL LIAISON: COUNCILMEMBER CRAIG SANDERSON – arrived at 6:08pm

Also present were:

Will Wright, Town Manager
Melissa Drake, Town Clerk

3. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

None

4. CONSENT AGENDA

Approval of the Minutes of the Regular Meeting held on 9/10/14

Vice Chair Gossard made a motion to approve the Consent Agenda. Commissioner Hearne seconded the motion and it passed unanimously.

5. ACTION ITEM

Consideration, discussion, and possible approval of Design Review Case No. 2014-03, a request for approval of Phase 1-B and Phase 1-C of the approved Master Plan for the Best Western Premier Grand Canyon Squire Inn

Manager Wright gave an overview of the Staff Report from Town Planner Lawrence Tomasello. He corrected one item in the report; the Laundry Building referenced is not an existing building but will be a new addition.

Keith Foster, Director of Operations at the Squire Inn, presented Phase 1-B and Phase 1-C of the expansion and renovation project. The Commission discussed the changes and construction with Mr. Foster and Greg Bryan, General Manager of the Squire Inn.

Commissioner Rosener made a motion to approve Design Review Case No. 2014-03, Phase 1-B (Exhibit A9.01), the Landscape Concept Plan (Exhibit 8-1-14), and Parking Plan (Exhibit 1 of 1), and approve Phase 1-C (Exhibit A9.01) as referenced on the Squire Inn Master Plan (Exhibit A1.00). Vice Chair Hearne seconded the motion and it passed on unanimous vote.

6. MOTION TO ADJOURN

Commissioner Hearne made a motion to adjourn at 6:23 pm. Commissioner Rosener seconded the motion and it passed unanimously.

ATTEST:

John Schoppmann, Chair

Date

Melissa M. Drake, Town Clerk

CERTIFICATION

State of Arizona)
) ss.
Coconino County)

I, Melissa Drake, do hereby certify that I am the Town Clerk of the Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Planning and Zoning Commission of the Town of Tusayan held on October 28, 2014. I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 28th day of October, 2014

Melissa M. Drake, Town Clerk

ITEM NO. 5

WOODSON

ENGINEERING & SURVEYING, INC.

124 N. Elden St., Flagstaff, AZ 86001

928-774-4636 • Fax 928-774-4646

TOWN OF TUSAYAN

STAFF REPORT

DATE: March 24, 2015

TO: Members of the Planning and Zoning Commission
Members of the Town Council

FROM: Rick Schuller, Town Engineer - Woodson Engineering

SUBJECT: Draft Development and Subdivision Standards

This memo is to provide background information with respect to the creation of the Town of Tusayan Draft Development and Subdivision Standards. The draft Subdivision Standards are being introduced at a combined Planning and Zoning Commission and Town Council joint meeting on March 24, 2015. Woodson Engineering was retained to prepare Subdivision Development Standards for the Town. The current Draft Standards are dated March 4, 2015 and are the subject of the introductory meeting.

For the development of Subdivision Standards or Codes for a new Town it is typical to utilize existing Standards that are available from other local communities as a basis. In developing the Subdivision Standards for Tusayan, Woodson Engineering utilized several from local communities including Show Low, Winslow, Flagstaff, Coconino County and others to form the basis of the Standard. These sources were consolidated and made applicable to the Town of Tusayan locale.

The Development and Subdivision Standard is known as Chapter 13 of the Tusayan Town Code. Chapter 14 Draft Design Standards is also being prepared by Woodson Engineering as the document needed to support the Development and Subdivision Standards with engineering standards for streets, utilities, drainage and other infrastructure improvements. The draft Design Standards are attached to this Memo for informational and comment purposes.

The Subdivision Standard consists of the following main sections:

Administration

Application Procedures

- Outline of Review Process
- Pre-Application Conference and Development Review Committee

- Development Master Plans
- Site Plans
- Preliminary and Final Plats
- Subdivision Technical Review
- Assurances for Public Improvements
- Minor Land Devisions

Design Principals and Development Standards

- Streets and Trails
- Block and Lot Layouts
- Utility Requirements
- Drainage Impact and Management
- Street Lights

Improvement Requirements

- Public Improvement Requirements
 - Plans, Specifications, Impact Analysis
 - Agreements
 - Water, Sewer, Streets, Trails
 - Frontage Requirements
 - Development Agreement
 - Recapture Agreement

Modifications, Appeals and Enforcement

Terminology

Other discussion items include:

Chapter 14 Draft Design Standards

Application Forms and Fees (Pending)

Next Steps

We are here to answer any questions about the Standards and to obtain any comments on the above materials, written or verbal, for consideration into the Final Development and Subdivision Standards and Design Standards.

Thank you again for the opportunity to work with you and feel free to contact us if you have any questions, comments or need any additional information.

WOODSON ENGINEERING

Chapter 13
DEVELOPMENT AND SUBDIVISION STANDARDS - Draft

Contents

SECTION 13-1. ADMINISTRATION	3
SECTION 13-2. APPLICATION PROCEDURES	5
13-2-1. General Provisions	5
13-2-2. Pre-application Conference	7
13-2-3. Development Master Plan:	8
13-2-4. Site Plan	10
13-2-5. Preliminary Plat	11
13-2-6. Subdivision Technical Review	15
13-2-7. Final Plat	15
13-2-8. Assurances for Public Improvements	19
13-2-9. Minor Land Divisions	21
13-2-10 Lot Line Adjustments	23
SECTION 13-3. DESIGN PRINCIPLES AND DEVELOPMENT STANDARDS	25
13-3-1. Street Location and Arrangement	25
13-3-2. Street Design	26
13-3-3. Block Design	28
13-3-4. Lot Planning	28
13-3-5. Easement Planning	28
13-3-6. Water Facilities Design	29
13-3-7. Sewer Facilities Design	29
13-3-8. Drainage Design	30
13-3-9. Street Lights	31
SECTION 13-4. IMPROVEMENT REQUIREMENTS	32
13-4-1. Public Improvement Requirements	32
13-4-2. Frontage Improvement Requirements	38
13-4-3. Development Agreement	38
13-4-4. Recapture Agreement	40
SECTION 13-5. MODIFICATIONS, APPEALS AND ENFORCEMENT	41

13-5-1. Modifications	41
13-5-2. Appeals	41
13-5-3. Enforcement	41
13-5-4. Severability	42
SECTION 13-6. TERMINOLOGY	43
13-6-1. Usage	43
13-6-2. Definitions.....	43

SECTION 13-1. ADMINISTRATION

- A. **Title:** These regulations shall be known as the Town of Tusayan Development and Subdivision Standards, may be cited as such, and will be referred to herein as "these Development Standards."
- B. **Purpose and scope:** The purpose of these Development Standards is to ensure the orderly growth and harmonious development of the Town of Tusayan; to provide convenient traffic circulation on a coordinated street system with major thoroughfares adjoining subdivisions; to ensure the adequate provision of water, drainage facilities, sanitary sewerage, and other utilities; to provide adequate sites for schools, recreation areas, and other public facilities; and to facilitate the accurate conveyance of ownership of land by accurate legal description; and to provide procedures for the achievement of these purposes.

These regulations accommodate growth by considering the need for services generated by development together with public ability to provide and/or private willingness to contribute to the costs of these services. It applies to all properties proposed for development, subdivision, land split, or lot line adjustment within the Town limits. No building or other development permit required by the Town may be issued for property which has been divided in violation of this ordinance.

A "Subdivision" is defined as improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land, or if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or any such property, the boundaries of which have been fixed by a recorded Plat, which is divided into more than two (2) parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but Plats of such projects need not show the buildings or manner in which the buildings or airspace above the property shown on the Plat are to be divided. "Subdivision" does not include the following:

1. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
 2. The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
 3. The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.
- C. **Application and Interpretation:** Circumvention of this ordinance is prohibited.

No person may sell, offer to sell, or divide any portion of any lot or parcel of land, or change the location of a property line of an existing lot or parcel within the Town limits without obtaining the approval of the Town as required by these Development Standards. No land may be divided, and no property line location may be changed, in a way that would result in the creation of a property that would not conform to the requirements of the Town of Tusayan Zoning Ordinance or these Development Standards.

The interpretation and application of the provisions of these Development Standards shall be made by the Town Manager, "Manager." Where any provision of these Development Standards imposes restrictions different from those imposed by any other provision, or any other ordinance, rule or regulation, or other provision of law, the provision which is more restrictive or imposes higher standards controls. Nothing contained in these regulations shall be construed as releasing a Developer from the Arizona Revised Statutes.

- D. **Administration:** The Town Manager is hereby authorized to receive, process, and otherwise act upon Site Plan, Preliminary and Final Subdivision Plats in accordance with these regulations. The Town Planning and Zoning Commission and Town staff are hereby designated as advisory agents to the Town Manager and to the Town Council and are charged with the duty of investigating and reporting upon matters referred to them in accordance with these regulations.
- E. **Fees:** Fees for Town services provided in the administration of these Development Standards shall be set by Ordinance X-X of the Town Council.

SECTION 13-2. APPLICATION PROCEDURES

13-2-1. General Provisions

- A. **In general:** Every land division shall conform to the goals and objectives of the General Plan, Zoning Code, other ordinances adopted by the Town Council and laws of the State of Arizona that specifically relate to subdivisions and the development of land.
- B. **Reservation of public land:** Where a tract to be subdivided contains all or any part of a park, school, flood control facility or other area shown on the general plan as a public area, or required by Town Council as a public area, such site shall be dedicated to the public or reserved for acquisition by the public within a specified time period. The Developer and the appropriate public agency shall reach an agreement regarding such acquisition prior to consideration of Final Plat by the Town Council.

The Town may reserve land within a proposed subdivision for public schools and parks, recreational facilities, open space, water and wastewater facilities and public safety annexes, subject to the following conditions:

1. The required reservations are in accordance with principles and standards adopted by Town Council, which standards include the policies for open space set forth in the General Plan.
2. The land reserved shall be in the size and shape as to permit the remainder of the land area in which the reservation is located to develop in an orderly and efficient manner.
3. The public agency for whose benefit an area has been reserved shall have a period of three years or such extended period as may be mutually agreed upon after the recording of the Final Plat to enter into an agreement to acquire such reserved land area. The purchase price shall be the fair market value thereof at the time of the filing of the Preliminary Plat plus the taxes against such reserved area from the date of the reservation, and any other costs incurred by the Developer in the maintenance of such reserved area, including interest costs incurred on any loan covering such reserved area by such public agency and the Developer.
4. If the public agency for whose benefit an area has been reserved does not exercise the reservation agreement set forth in paragraph three above, within the agreed upon period of time, the reservation of such area shall terminate unless a mutually agreeable time extension is consummated.

- C. **Owner/agent authorization:** Applications may only be submitted by property owners or their authorized representatives. The Town Manager may require proof of ownership or authorized representation prior to accepting an application.
- D. **Mandatory Applicant Attendance:** Applicants, or their representative with authority to speak for and bind the Applicant, shall be present at all meetings and public hearings required under this Section.
- E. **Representations of Applicant Binding:** All representations by the Applicant, or by the Applicant's authorized Representative, made in writing, or during any Town public meeting or public hearing or by any submitted plan, Plat, drawing, or other graphic depiction in support of the application, and designated in the record by the Planning and Zoning Commission and/or Town Council shall be deemed to be conditions of approval.
- F. **Zoning Standards:** Proposed Developments and Subdivisions must be designed to meet the specific requirements of the Zoning District in which they are located. In the event that a change in zoning is required to enable the development to be built as proposed, any necessary zoning amendment must be initiated by the property owner (or authorized agent) in accordance with the procedures for processing applications for changes in zoning set forth in the Zoning Ordinance. No subdivision Final Plat for which a zone change is required may be considered by the Town until the required zone change has been adopted by the Town Council.
- G. **Outline of the review process:** The preparation, review and approval of most Developments and Subdivisions within the Town limits shall proceed through the following progressive stages:
1. Pre-application conference with Concept Plan (Sec13-2-2)
 2. Development Master Plan (Sec 13-2-3, If required by Town Manager)
 3. Site Plan (Sec 13-2-4, for non-subdivision projects) considered and reviewed by Town staff and pertinent outside public service and utility agencies
 4. Preliminary Plat submittal considered by Planning and Zoning Commission and Town Council (Sec 13-2-5)
 5. Development/Subdivision technical review – considered and reviewed by Town staff and pertinent outside public service and utility agencies (Sec 13-2-6)
 6. Final Plat submittal – considered by Town Council (Sec 13-2-7)

13-2-2. Pre-application Conference

- A. **Pre-application Conference:** The pre-application conference stage of the development planning process is a mandatory investigatory period which precedes actual preparation of Site Plans, platting or improvement plans by the Developer. During this time, the Developer makes their intentions known informally to the Town, are advised of specific public objectives related to the subject tract, and are given detailed information regarding platting procedures and requirements.
- B. **Concept Plan:** The Developer must meet with the Development Review Committee to present a Concept Plan of the proposed development including:
1. Proposed land use, street and lot arrangement, and tentative lot sizes.
 2. Concept proposals regarding water supply, sewage disposal, surface drainage and street improvements.
- C. **Actions of the Development Review Committee:** The Development Review Committee will discuss the proposal with the Developer and provide input and suggestions regarding procedural steps, public policy objectives, design and improvement standards, and general platting requirements. Then, depending upon the scope of the proposed development, the Committee will:
1. Check existing zoning of the tract and recommend changes in zoning if necessary or desirable.
 2. Determine the adequacy of existing or proposed schools, parks, and other public places.
 3. Inspect the site or otherwise determine its relationship to major streets, utility systems, and adjacent land uses, and identify any unusual problems such as those related to topography, utilities, drainage, etc.
 4. Determine whether a Development Master Plan (13-2-3) will be required prior to the preparation of a Preliminary Plat, and the extent to which the property owner will be required to prepare it.
 5. Determine if the development will need to create a Development Agreement and/or Covenants, Conditions and Restrictions (CCR's).
- D. **Concept Plan Review and Approval Process:** After the review of the Concept Plan (13-2-2) by the Development Review Committee, the Town Manager will direct the Developer to the appropriate next step in the process.

1. **Subdivisions:** If the Concept Plan involves a subdivision only, the Town Manager will advise the Developer to proceed with the preparation of a Preliminary Plat to be considered by the Planning and Zoning Commission and the Town Council.
2. **Development Master Plan:** A Development Master Plan (DMP) may be required by the Town Manager prior to the preparation of a Preliminary Plat if:
 - a. The tract is sufficiently large to comprise an entire neighborhood,
 - b. The tract is to be developed in multiple phases or
 - c. The tract is only a portion of a larger landholding of the Developer, or
 - d. The tract is part of a larger land area the development of which is complicated by unusual topographic, utility, land use, land ownership, or other conditions.
3. **Site Plan:** If the project is not a subdivision, the Developer will be instructed to proceed to submit a Site Plan (13-2-4) for approval by the Town Manager. The Site Plan review process is applicable to the following type of projects:
 - a. Multi-Family
 - b. Commercial
 - c. Industrial
 - d. Institutional / Governmental

13-2-3. Development Master Plan:

If directed to prepare a Development Master Plan by the Town Manager, the Plan must be submitted within six (6) months of approval of Concept Plan.

The Town Manager may require the Developer to prepare a Development Master Plan (DMP) if one of the conditions in 13-2-2.D2 is applicable to the site. The entire land area covered by the DMP need not be under the Developer's control. In many cases the DMP will be the comprehensive Concept Master Plan needed in a zone change application that may be necessary to permit development of the tract.

- a. **Preparation:** Development Master Plans must be prepared to a scale and accuracy commensurate with their purposes, and must include:
 - i. General street pattern with particular attention to collector streets and future circulation throughout the development.
 - ii. General location and size of existing and proposed school sites, parks, and other public areas.

- iii. Location of shopping centers, multi-family residential or other non-residential land uses.
 - iv. Methods proposed for sewage disposal, water supply and storm drainage.
 - v. Approximate densities and intensities of various land uses.
- b. Phasing plan and schedule approval: Upon acceptance of the general design approach by the Planning and Zoning Commission and Town Council, the DMP shall be followed by the preparation of a Preliminary Plat. If development is to take place in several stages, the DMP must be submitted as a supporting document for each stage. The DMP must be kept up to date by the Developer as modifications take place.

C. Development Master Plan review and approval

1. Upon acceptance of an application for approval of a Development Master Plan, the Town Manager will have ten (10) working days to advise the applicant if the submittal is complete.
2. Copies of complete applications will be forwarded to the Town departments and utility and public safety agencies that serve the area for their review and comment.
3. The reviewing agencies and departments shall transmit their comments and recommendations to the Town Manager. The Town Manager will then summarize the received comments and recommendations, prepare a staff report and present it to the Planning and Zoning Commission.
4. The Planning and Zoning Commission shall consider the proposed Preliminary Plat at its next regularly scheduled meeting no sooner than twenty-one (21) days after an application has been determined to be complete. Upon action of a Development Master Plan, or approval with conditions by the Commission, the Town Council shall consider the proposed Development Master Plan within sixty (60) days of the Commission decision.
5. Development Master Plan approval constitutes authorization for the Developer to proceed with the preparation and submittal of the Preliminary Plat.

13-2-4. Site Plan

- A. A Site Plan must be submitted within six (6) months of approval of Concept Plan. If this requirement is not met, the Developer may be required to resubmit a Concept Plan for a pre-application conference.
- B. Site plan review as described in this section follows a Pre-Application Conference, review and approval of the Concept Plan (Section 13-2-2).
- C. Applicability of Site Plan Review: Site plan review and approval shall be required for all authorized uses, changes of use and approved conditional uses as determined by the Town Manager in any zone, except for the following;
 - 1. Detached single-family dwellings (up to two on one lot, where permitted by the Zone), and related accessory uses and buildings in approved subdivisions;
 - 2. Interior tenant alterations or improvements which do not affect parking requirements or exterior building appearance;
 - 3. Nonstructural remodeling of a building facade treatment; and,
 - 4. Sign permits for properties not otherwise subject to site plan review
- D. Application for Site Plan Review
 - 1. Standards of Review: When considering an application for Site Plan Review and Approval, the Town Manager shall consider the extent to which it:
 - a. Complies with all requirements of the Zoning Code;
 - b. Complies with the terms and provisions of any prior Zoning Map amendment or conditional use permit;
 - c. Adequately and safely provides for vehicular or pedestrian safety, both on and off site, by reason of properly arranged vehicular or pedestrian ingress and egress and internal circulation, or that excessive traffic congestion will not be created; and,
 - d. Makes adequate provision to protect adjoining properties and structures from excessive and unreasonable nuisances, including for example, noise, vibrations, gases or odors, which might interfere with the use and enjoyment of surrounding properties.
 - 2. Application Review
 - a. Receipt of Application: Upon receipt of an application, the Town Manager shall refer the site plan review application to any affected

departments or agencies, which shall determine whether the application complies with pertinent Town standards and regulations.

- b. Decision by the Town Manager: Upon receipt of the reports from other departments or agencies, the Town Manager shall either approve the development or site plan application as submitted; approve the application with conditions of approval; or deny the application.
- c. Conditions of Approval: The Town Manager may impose conditions of approval as are necessary to safeguard the public welfare, safety and health, including the submission of revised documents incorporating required conditions and modifications.

3. Expiration: An approved site plan shall be valid for a period of one year following the date upon which the final approval became effective. If, at the expiration of this period;

- a. The subject property has not been improved for the development for which it was approved and construction permits have not been issued and construction commenced and diligently pursued toward completion of the site for which the site plan approval was originally granted; or
- b. A certificate of occupancy has not been issued for structure(s) which were the subject of the site plan approval; or
- c. The site has not actually been occupied for a permitted use if no building permit or certificate of occupancy is required;

4. Then the Site Plan approval shall expire, unless a request for an extension of time is made by the applicant to the Town Manager at least 30 days prior to the date of the expiration of the original approval. A site plan approval subject to expiration may be extended one time only for an additional one year by the Town Manager. Upon the expiration of the original site plan approval, if no extension has been granted or no application for the same has been submitted, or a granted time extension has expired, then the original site plan approval shall be considered as expired, and a new site plan shall be submitted for approval in the same manner as an original application for site plan review and approval.

13-2-5. Preliminary Plat

Within six (6) months of approval of Concept Plan or the Development Master Plan (DMP), an applicant shall apply for a Preliminary Plat for a subdivision. If this requirement is not met, the Developer may be required to resubmit a Concept Plan for a pre-application conference.

A. Application Procedures and Requirements

1. **In general:** The Preliminary Plat stage of land subdivision involves

detailed subdivision planning, submittal, review, and approval of the Preliminary Plat. The Preliminary Plat must substantially conform to the Concept Plan and may only be submitted subsequent to the issuance of a Notice to Proceed, and must be accompanied by payment of the prescribed fees. The Developer must provide all essential information outlined below to enable the Town to determine the character and general acceptability of the proposed development.

2. **Diminution of fair market value waiver required:** An executed, notarized waiver by the owner of the subject property of any and all claims for diminution in fair market value as defined by A.R.S. § 12-1134, must be submitted with the Preliminary Plat application or Development Master Plan.

B. **Preliminary Plat Submission:** In addition to a completed Preliminary Plat application form, a complete submittal shall include:

1. A non-refundable Preliminary Plat filing fee (See **Ordinance X-X**, Fee Schedule);
2. The required number of copies as specified in the handout available from the Planning Section of the Preliminary Plat showing:

a. **Identification and descriptive data**

- i. Proposed subdivision name, location by township, range, and section, and reference by dimension and bearing to a section or quarter section corner.
- ii. North arrow, scale and date of preparation.
- iii. Name, address and phone number of the owner, and of the engineer, surveyor, landscape architect or land planner who prepared the Plat.
- iv. Vicinity map showing the relationship of the proposed subdivision to main traffic arteries and any other landmarks that would help to locate the project.
- v. Assessor's parcel numbers for all abutting properties.

b. **Existing conditions data**

- i. Topography by one- (1), two- (2) or five- (5) foot contour intervals adequate to reflect the character and drainage of the land as determined by the Town Engineer, and related to U.S. Coastal and Geodetic Survey (USC&GS) datum, or other approved datum.
- ii. Surveyed location of all existing improvements on public rights of way and private property including land use,

- structures and fences, walls, shacks, barns, utility lines, wells, streams, irrigation canals and structures, private and public culverts, ditches, washes, lakes, water features of all types, direction of flow, flow pattern, location and extent of areas subject to inundation, and whether such inundation is frequent, periodic, or occasional and data regarding frequency.
- iii. Location, width, and names of all platted or otherwise defined streets, drainage and utility easements, public areas, and municipal boundaries within, adjacent to, or extending from the property.
 - iv. Location of historic and archaeological sites, if any.
 - v. Acreage and zoning of the property and abutting properties.
 - vi. Complete boundary dimensions of the property.
 - vii. Evidence of adequate access from an existing public right-of-way.

c. Proposed conditions data

- i. Proposed lot configuration, including approximate size and dimensions of each lot, and identification of each lot by number, and total number of lots; building setback lines; street light locations; hydrant locations; street layout, including location, width, curve radii, and proposed names.
- ii. Identification of average and minimum lot size(s).
- iii. Designation of all land(s) to be dedicated and reserved for public use with use and acreage for each indicated.
- iv. Location of all proposed private and controlled access streets and identification of all access devices on local streets within the subdivision; their means of accomplishing access control (e.g. signage, traffic barriers, gates, etc.) and monitoring devices and facilities; and their hours of operation and standards and procedures for admittance.
- v. A Preliminary Utility Statement from a registered engineer that will address the proposed utility connections including sewer, water and dry utilities. It will also specifically list the approvals that will be required to be obtained with the construction documents (ie ADEQ, Sanitary District or other private utility approvals).
- vi. Preliminary Traffic Statement from a registered engineer that will address the impact of new development on existing roadways, the condition and capacity of existing streets, typical cross-sections, and determination if a traffic study is

required.

- vii. Preliminary Drainage Statement from a registered engineer that addresses detention, floodplains, a proposed drainage system, the impacts of increased runoff due to development and the impacts to downstream property. Calculations must include estimated values for each tributary storm runoff channel for two- (2), ten- (10), and one hundred- (100) year frequency storms (the values shall be indicated along the boundary of the survey map for all points of drainage entering and exiting the property).
5. If necessitated by the development, a preliminary draft or outline of protective Covenants, Conditions and Restrictions (CCR's) that demonstrate the proposed theme and character of the proposed subdivision. The possible necessity of CCR's will be discussed at the Pre-Application Conference.
6. If required by the Town Manager, a preliminary draft of the Development Agreement (DA). The possible requirement of a Development Agreement will be discussed at the Pre-Application Conference.
7. Such other information as, in the opinion of the Town Manager, will be required to complete a thorough analysis of the Preliminary Plat in terms of its compliance with all Town codes, ordinances, rules and regulations.

C. Preliminary Plat review and approval

1. Upon acceptance of an application for approval of a Preliminary Plat, the Town Manager will have ten (10) working days to advise the applicant if the submittal is complete.
2. Copies of complete applications will be forwarded to the Town departments and utility and public safety agencies that serve the area for their review and comment.
3. The reviewing agencies and departments shall transmit their comments and recommendations to the Town Manager. The Town Manager will then summarize the received comments and recommendations, prepare a staff report and present it to the Planning and Zoning Commission.
4. The Planning and Zoning Commission shall consider the proposed Preliminary Plat at its next regularly scheduled meeting no sooner than twenty-one (21) days after an application has been determined to be complete. Upon action of a Preliminary Plat, or approval with conditions by the Commission, the Town Council shall consider the proposed Preliminary Plat within sixty (60) days of the Commission decision.

5. Preliminary Plat approval constitutes authorization for the Developer to proceed with the preparation and submittal of engineering plans and specifications for public infrastructure improvements and the Final Plat. Preliminary Plat approval does not assure Final Plat approval and expires without further action of the Town if a Final Plat is not submitted within one year or such other period of time specified at the time of Preliminary Plat approval. An extension of up to one (1) year may be granted by the Town Manager provided an application for extension is approved prior to the expiration date.

13-2-6. Subdivision Technical Review

- A. The Developer shall provide the Town Manager with complete sets of engineering plans and specifications prepared by a civil engineer who is currently registered in the State of Arizona. Such plans and specifications must be designed based upon the approved Preliminary Plat and may be prepared prior to or in conjunction with the Final Plat.
- B. The Final Plat will not be considered by the Town Council until all engineering plans for water, sanitary sewer, streets, grading and drainage and all other improvements have been approved by the Town Engineer and other applicable review agencies.
- C. When applicable, for water and sewer mainline extensions, the Developer must furnish Arizona Department of Environmental Quality (ADEQ) and the Town Engineer such evidence as the ADEQ may require regarding the adequacy of the design and operation of the proposed potable water and sanitary sewerage facilities. Applications for plan review by ADEQ may only be made with written authorization of the Town Engineer.
- D. Street light requirements as determined by Section 13-3-9.
- E. Engineering plan and specification submission.

13-2-7. Final Plat

No later than one (1) year after the approval of a Preliminary Plat, a Developer may apply for approval of a Final Plat. Failure to do so will automatically nullify the approval of the Preliminary Plat without any action by the Town unless the Town Manager has approved an extension prior to the expiration of one year.

A. Application procedure and requirements:

1. **In general:** The Final Plat stage involves the final design of the subdivision, submittal of engineering plans and specifications (if not

already completed), final Covenants, Conditions and Restrictions (CC&Rs), satisfactory assurance documentation, and execution of a Development Agreement, if applicable.

2. **Zoning:** The zoning of a tract must permit the proposed development. Zoning changes required to enable the property to be developed as proposed must be approved by the Town Council prior to or in conjunction with the submission of a Preliminary Plat. When a zone change request is accompanied by a Preliminary Subdivision Plat, the change of zoning shall not vest or become effective until recordation of a Final Plat.
3. **Easements:** It shall be the responsibility of the Developer to provide on the Final Plat, prior to plat recordation, such easements in such location and width as required for public utility purposes. The following notation shall be placed on all Final Plats: "Construction within easements, except by public agencies and utility companies, shall be limited to utilities and wood, wire or removable section-type fencing and/or plantings or turf. It is understood that the utility companies will not be required to replace any obstructions or plantings that must be removed during the course of maintenance, construction, or reconstruction within any utility easement."

B. **Final Plat Submission** - In addition to a completed Final Plat application form and fee payment, a complete submittal shall include:

1. A non-refundable Final Plat filing fee (See **Ordinance X-X**, Fee Schedule);
2. The required number of copies of the Plat as specified in the handout available from the Planning Section.
3. A certificate or letter from each utility company, including the sanitary district, providing service to the area indicating approval of the method of the proposed utility installations and confirming the availability of services.
4. An Arizona Department of Transportation access permit, where required
5. If applicable and not already completed with the Preliminary Plat, the Development Agreement shall be recorded between the Developer and the Town.
6. A completion date for the construction of the improvements shall be declared and notice given to the Town Manager, which date shall be approved by the Town Council. The completion date for the improvements shall not exceed two (2) years from the date of such approval. Failure to complete the improvements by the completion date

may cause the forfeiture of the assurances described hereafter, in Subsection (B)(12).

6. A Final Plat, in recordable form, on disk in digital format.
7. If applicable, a copy of the protective CC&Rs in the form for recording shall be submitted and recorded with the Final Plat. The CC&Rs shall include, at a minimum, a mechanism to allow the capability for home or property owners to establish or create a homeowners' association subsequent to the declarant conveying a majority of the subdivided properties to other parties. The CC&Rs shall state that notwithstanding any other provision of the CC&Rs a lot owners' association may be created by lot owners' majority vote thereof, subsequent to the conveyance of a majority of the platted lots by the declarant.
8. Identification and descriptive data
 - a. North arrow, scale, and date.
 - b. A title which includes the name of the subdivision and its location by section, township, range and county.
 - c. Name, address, registration number, and valid seal of the registered land surveyor preparing the Plat.
9. Survey data
 - a. The Final Plat shall identify all boundary lines and corners, together with courses and distances and all curve or angle data. Subdivision corners, other monuments, lot corners, and other survey points must be described and located. One tie must be made by true course and distance to a GLO corner, or, if none exists, to a corner of common acceptance. Proposed subdivisions adjacent to existing subdivisions must tie to the corners of the existing subdivisions. Adjoining property must be identified by subdivision name. Un-subdivided, and Forest Service lands must be noted. All connecting streets, private and public and Forest Service roads must be shown and named.
 - b. The Final Plat shall include Name, courses, length and width of all public streets, radii, points of tangency, and central angles of all curvilinear streets; radii of all rounded street line intersections; location, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the public; and a statement noting that the streets dedicated on the Plat will not be accepted for Town maintenance until they are brought up to minimum Town

standards.

- c. A registered professional land surveyor must certify that all lots are staked, or will be staked within six months.

10. Existing conditions data

- a. Utility easements intended to remain on the property. The notation as described in Section 13-2-5(A)3 above shall be on the Final Plat.
- b. Drainage easements intended to remain on the property, with the following notation: "Natural, unimpeded flow is preferred in all drainage ways, wherever practical. No structure of any kind may be constructed or placed, nor may any vegetation be planted nor be allowed to grow within, on or over any drainage easement which would obstruct or divert the flow of storm water. The Town may construct and/or maintain drainage facilities on or under the land in any drainage easement."

11. Descriptive data required

- a. Name, right-of-way lines, courses, lengths, width of all public streets, crosswalks, utility easements; radii, points of tangency and central angles of all curvilinear streets and rounded street line intersections.
- b. Utility easements needed in conjunction with the new Plat to include the notation as cited in Section 13-2-5(A)3 above.
- c. All drainage ways shall be shown on the Plat. The rights-of-way or easements for all major drainage ways, as designated by the Town Engineer, shall be dedicated to the Town.
- d. Location and dimension of all residential lots, including identification of each lot by number and size of each lot, total number of lots and average and minimum lot sizes.
- e. All residential lots shall be numbered by consecutive numbers throughout the Plat. "Exception", "tracts", and parks shall be so designated, lettered or named and clearly dimensioned.
- f. Locations, dimensions, bearings, radii, arcs, and central angles of all sites to be dedicated to the public with the use clearly indicated.
- g. Location of all adjoining subdivisions with date, map and page number of recordation noted, or if unrecorded or unsubdivided, so marked.
- h. Show the limits of the one hundred- (100) year flood prone area on the Final Plat in a surveyable and readily retraceable manner with frequent ties to intersecting lot lines for all flows of fifty (50)

cubic feet per second or more.

12. Assurances are required for improvements that will be dedicated to the Town per 13-2-8 Assurances for Public Improvements.
13. Dedication and acknowledgment - A statement dedicating all streets and easements for public use by the person holding legal title of record to the property. If the property contains any liens, all lienholders shall execute an appropriate release for all dedications. If the Plat shows private access ways, it must note that public utilities, including refuse collectors, shall reserve the right to install, conduct and maintain utilities in such access ways. The signatures following this dedication and acknowledgment shall be notarized.
14. Final Plat review
Upon acceptance of an application for approval of a Final Plat, the Town Manager will have ten (10) working days to advise the applicant if the submittal is complete.

Copies of complete applications will be sent to the Town departments and utility and public safety agencies that serve the area. When an application has been determined to be complete, the Town Council shall consider the proposed Final Plat no sooner than twenty-one (21) days.

13. Recordation: Upon receipt of the required assurances, **and proof of adequate water supply**, the applicant will provide the Town with the approved Final Plat. The Town Manager will have the Final Plat recorded and provide a recorded copy of the Plat to the applicant.

13-2-8. Assurances for Public Improvements

In order to ensure proper installation of public improvements, the Developer shall designate the type of assurance in a form and method acceptable to the Town Attorney and approved by Town Council in conjunction with review of the Final Plat. Approved forms of assurance are available from the Town Manager. A final copy of said assurance shall be submitted to staff within ninety (90) days of Council approval, and prior to the recordation of any Final Subdivision Plat approved by the Town Council. The amount of said assurance shall be based on a cost estimate prepared by a registered civil engineer in an amount to cover one hundred ten percent (110%) of the complete installation of the improvements. Failure to provide approved assurances of construction within said ninety (90) days shall be grounds for revocation of the Final Plat. Continued failure to provide approved assurances of construction following fourteen (14) days written notice to the applicant as indicated on the subdivision Final Plat application form shall cause the Final Plat to be deemed revoked. This assurance shall provide for its forfeiture to the Town in the event the improvements are not accepted by the Town by the declared completion date due to the default of the Developer or the appropriate real

part in interest. Any portion of the forfeiture in excess of the expenses incurred by the Town in connection with the installation of the improvements shall be returned to the Developer or the appropriate real party in interest at the end of the warranty period. The Developer must provide the Town with one of the following types of financial assurances for the completion of the construction of the improvements required for the development of the subdivision:

1. Cash, surety bond, or letter of credit

- i. The Developer shall deposit with the Town Clerk cash or surety bond, or an irrevocable letter of credit issued by an approved institution.
- ii. The surety bond shall be executed by the Developer with a corporation duly licensed and authorized to transact surety business in the State of Arizona, as surety. The bond shall be in favor of the Town, shall be continuous in form, and shall require that the total aggregate liability of the surety for all claims shall be limited to the face amount of the bond, regardless of the number of years the bond is in force, and shall provide that
- iii. The bond, cash, or letter of credit shall be released upon satisfactory completion of the work. Progress payments may be made in accordance with standards established by the Town Engineer.
- iv. The bond or letter of credit may be cancelled by the Developer, provided that other security, satisfactory to the Town Attorney has been deposited which will cover the obligations of the Developer which remain to be performed.
- v. Any work abandoned or not completed by the Developer may be completed by the Town, which shall recover the construction costs from the Developer, the bonding agent, or approved lending institution.

2. Assurance of construction through loan commitment

In lieu of providing assurance of construction in the manner provided above, the Developer may provide assurance of construction of all required utility and infrastructure improvements, by delivering to the Town in a manner described above, an appropriate agreement acceptable to the Town Attorney between an approved lending institution and the Developer, which provides:

- i. A statement that funds sufficient to cover the entire cost of installing the required improvements, including engineering and inspection costs, and the cost of

- replacement or repairs of any existing streets or improvements demanded by the Town in the course of development of the subdivision have been deposited with such approved lending institution by the Developer. The agreement shall provide that the funds in the approved amount are specifically allocated, and will be used by the Developer, or on his behalf, only for the purpose of installing the subdivision improvements.
- ii. That the Town shall be the beneficiary of such agreement, or the Developer's rights shall be assigned to the Town, and the Town Engineer shall approve each disbursement of such funds.
- 3. Alternative assurances
In lieu of providing a surety bond or an agreement between the Developer and an approved lending institution, the Town Attorney may approve and recommend to Town Council such alternative assurances that it deems sufficient to guarantee and assure construction of the required improvements, including a performance of the Developer.
 - 4. An approved lending institution for purposes of this Chapter 12 is an FDIC-insured bank or savings and loan association licensed and authorized to do business in Arizona.

13-2-9. Minor Land Divisions

A. Purpose and Intent of these regulations is:

- 1. To provide for the partitioning of land into two or three lots, tracts or parcels of land or the combination of lots, tracts or parcels through a process that is more expeditious than the subdivision process;
- 2. To assure that the proposed parcels are in conformance with the Town's development standards;
- 3. To obtain accurate surveying and permanent public record of the separate interests created and conveyed by the division of lands; and,
- 4. To assure adequate access and to provide a coordinated street system.
- 5. If a new street is involved, land that is divided into two or more lots is considered a subdivision and a minor land division is not applicable.

B. Land Split or Combination Procedures and Requirements

The preparation, submittal, review, and approval of all land splits or combinations located within the Town limits shall proceed through the following progressive stages, except as otherwise provided in this chapter:

- 1. Optional pre-application conference with the Town Manager.

2. Submittal by the Developer, and review and approval of the land split or combination application and map by the Town Manager.
3. Recordation of the approved land split or combination map and associated legal description with the Coconino County Recorder's office.

C. Pre-Application Conference

1. The pre-application conference stage of land split or combination review is an optional investigatory period preceding the preparation and submittal of the land split or combination application by the Developer. The Developer shall initially present the land split or combination proposal to the Town Manager who shall advise the Developer of specific public objectives, standards, and regulations related to the property and the procedure for land split or combination review.
2. An application for land split or combination approval shall include a sketch plan of the proposed land split or combination so that the Town Manager can determine whether the approval process authorized by this Section can and should be utilized. The Town Manager may require the applicant to submit whatever information is necessary to make this determination, including, but not limited to, a copy of the Coconino County Assessor's Map showing the land being divided and all lots or parcels previously divided from that tract of land and all contiguous land under the same ownership 15 years prior to the date of submittal.

D. Land Split and Combination Applications

1. Application Submittal:

- a. All land split or combination applications shall include the following materials:
 - i. The copies of the land split or combination map showing the proposed land split or combination, existing conditions including the location of all structures, and anticipated setbacks from existing and proposed property lines;
 - ii. Any information required as part of the land split or combination submittal shall be shown graphically, or by note, or by letter, or in combination on the plans, and may if necessary comprise several sheets showing various elements of the required data. All mapped data for the same map shall be drawn at the same engineering scale, said scale not to be greater than 100 feet to an inch;
 - iii. A completed land split or combination application form;
 - iv. Legal description in a form approved by the Coconino County Recorder's office;
 - v. A non-refundable land split or combination application fee (See Ordinance XX: Fee Schedule), available as a separate document from the Town); and,

vi. Complete contact information for the Developer.

b. All submittals shall be checked by the Town Manager for completeness. If the application is determined to be incomplete, the submittal may be rejected and returned to the applicant for revision and resubmittal.

B. Application Approval Standards:

1. All land split or combination applications shall be designed to comply with the requirements of the specific zoning district within which it is located, including minimum lot area, lot depth, lot width and minimum access requirements.
2. No lot or parcel shall be divided in such a way that any division contains more density than are permitted by the zoning regulations in the district in which the lot or parcel is situated.

C. Process for Approval.

1. The Developer shall submit all of the documents, information, data, and other requirements for approval of a land split or combination to the Director. The Developer shall also furnish to the Director any additional information and materials relevant to the application that are reasonably believed to be necessary in order for the Director to evaluate, analyze, or understand the subject matter of the application, and to ensure compliance with the requirements of this division. Compliance shall be determined by the Director.
2. The procedures for approval, modification, or denial of land split or combination applications shall be as follows:
 - a. The Town Manager shall approve or disapprove applications for land splits or combinations pursuant to the provisions of this Section and shall ensure compliance with any applicable conditions of approval.
 - b. A Developer may appeal a final action of the Town Manager to the Planning Commission in accordance with Article 13-5, Appeals, of this Chapter.

13-2-10 Lot Line Adjustments

A. When a common lot line between two adjoining parcels requires adjustment, the submittal requirements and procedures for a land split provided in Section 13-2-8, Land Splits or Combinations, shall be followed for review and approval by the Town manager.

B. In addition to the submittal requirements for a land split or combinations established in Section 13-2-8, Land Split and Combination Applications, the written

consent of all owners of the real property associated with the proposed boundary adjustment.

SECTION 13-3. DESIGN PRINCIPLES AND DEVELOPMENT STANDARDS

13-3-1. Street Location and Arrangement

- A. The arrangement, character, extent, width, grade, and location of all streets shall conform to the Town's General Plan and shall ensure public safety and convenience, and respond to existing natural features of terrain, vegetation, and drainage.
- B. Street layout shall provide for the continuation of existing principal streets through new subdivisions. Principal streets typically follow section or mid-section lines, however, if the alignment is impractical then right-of-way shall be provided at least every ½ mile (2640 feet).
- C. Certain proposed streets, shall be extended to the tract boundary to provide future connection with adjoining un-platted lands.
 - 1. Street connections to an adjoining platted tract shall be made only to those extended streets of the platted tract.
 - 2. Street connections shall be designed to accommodate the amount of increased traffic flow generated by the proposed subdivision, as determined by an engineered traffic study or as approved by the Public Works Department.
- D. Cul-de-sac streets shall be constructed with a minimum unobstructed turn-around radius of fifty (50) feet which shall be free from parked vehicles. The Town engineer may recommend an equally convenient form of turning and backing areas where extreme conditions justify. The maximum length of cul-de-sac streets shall be one thousand two hundred (1,200) feet, as measured from the intersection of right-of-way lines to the extreme depth of the turning circle along the street centerline or a maximum of twenty-five (25) lots. Any subdivision exceeding fifty (50) lots shall require a minimum of two (2) access points, one of which may be an emergency access. An exception may be made where topography or geographical constraints may justify.
- E. Where a proposed subdivision abuts or contains an existing or proposed arterial and collector routes, sufficient right-of-way may be required for access, frontage streets, and/or turning movements or for reverse frontage combined with a one- (1) foot non-access easement abutting the major route; or for such other treatment as may be justified for protection of residential properties from function of the major route.
- F. Where a subdivision abuts or contains the right-of-way of a limited access highway or an irrigation canal or abuts a commercial or industrial land use, the Town Manager may recommend location of a street approximately parallel to and on each side of such right-of-way at a distance suitable for

appropriate use of the intervening land. Such distance shall be determined with due regard for approach grades, drainage, bridges or future grade separations.

- G. Streets shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility and streets of reasonable gradient and to facilitate adequate drainage.
- H. No alleys may be constructed in residential, commercial, and industrial subdivisions, except that the Town Manager may waive the requirements in certain areas because of topography, open area provided or service access.
- I. Full-street improvements shall be required for adjacent streets. Curb shall be installed on adjacent side only. A fee in lieu of improvements may be substituted as approved by the Town Council. Access must be constructed to the development prior to occupancy.
- J. A minimum of two (2) permanent reference survey monuments shall be required for a street as a recoverable point for future surveys. These monuments shall have a geometric tie to the Town of Tusayan geometric coordinate system.
- K. The presence of a solid wall or fence along collectors and arterials to be of a consistent material and installed by the Developer.

13-3-2. Street Design

All streets in the Town, public or private, unless otherwise specified in these Development Standards, shall be designed to the requirements in the Chapter 14 Design Standards and as follows:

A. Minimum required right-of-way width

- 1. Principal and minor arterial streets and highways as indicated by Town standards but, in any event, no less than one hundred (100) feet or as required by the Arizona Department of Transportation standards.
- 2. Collector streets as indicated by current Town standards but, in any event, no less than seventy (70) feet.
- 3. Local streets as indicated by current Town standards but, in any event, no less than fifty (50) feet, unless otherwise specified in these Development Standards.
 - a. Cul-de-sac streets shall terminate in a circular right-of-way fifty (50) feet in radius with a minimum improved traffic turning circle forty (40) feet in radius. The Town Manager may approve an

- equally convenient form of space where extreme conditions justify.
 - b. Dead end streets will not be approved except in locations designated by the Town Manager as necessary to future extension in development of adjacent lands. A dead end street serving more than four lots shall provide a temporary turning circle with a forty-(40) foot radius or other acceptable design to accomplish adequate access.
 - c. Rights-of-way for industrial subdivisions shall be a minimum of sixty (60) feet in width.
- 4. Access or frontage streets - As required by a Traffic Impact Analysis or as needed for principle arterials.
- 5. All streets shall be paved in accordance with Chapter 14 Design Standards.

E. Private Streets

- 1. Private streets shall be constructed to conform to current Town of Tusayan street standards, including but not limited to right-of-way widths, sidewalks, trails, street lights, signs, roadway geometric criteria, and pavement structural section.
- 2. If private streets are proposed for a subdivision, then the following additional requirements must be met:
 - a. A homeowners association shall be established at the time the Final Plat is approved.
 - b. An emergency rapid entry system for unrestricted entry of police and fire emergency vehicle at all gated location shall be provided.
 - c. Finally, a note shall be placed on the Final Plat that states, "All private streets that are identified as a "tract" or "common areas" shall be maintained by the homeowners association. The Town shall not maintain these roads.
- 3. Any deviation or variance from these requirements shall require Town Council approval.

F. Town Trails Master Plan

The Town of Tusayan General Plan contains the Trails Map. Any trail defined on this map shall be included in a subdivision and constructed by the Developer per Chapter 14 Design Standards. An easement with a minimum width of 10' shall be dedicated to the Town for maintenance of the trails. The location must meet with the written approval of the Town Engineer.

13-3-3. Block Design

- A. Blocks shall not exceed twelve hundred (1,200) feet in length between street centerlines. Variation from this requirement may be justified where topography or optimal lot configurations are achieved or when lot sizes average one-half acre or greater.
- B. Blocks shall have sufficient width for an optimal layout of two tiers of lots of the size required by the zoning ordinance development standards (unless located on a collector road).
- C. Where practical, pedestrian ways with a minimum easement/right-of-way width of ten (10) feet may be required at mid-block and/or internal connection locations where essential for access to schools, playgrounds, common open space or other community facilities. Pedestrian ways may be used for utility purposes.

13.3-4. Lot Planning

- A. Lot width, depth, and area shall comply with the minimum development standards of the applicable zoning district.
- B. Lots having double frontage should be avoided except where necessary to provide separation of the residential development from traffic collectors and arterials. A symbol establishing which side will be driveway accessible is required for each double-fronting lot. A non-vehicular access (NVA) easement shall be shown on the opposite side of the lot.
- C. Corner lots shall be a minimum of ten (10) feet wider than the interior lots within the same block.
- D. The depth to width ratio of useable area should be no greater than 3:1.
- E. Grouping of wider side yards of no less than fifteen (15) feet in combined width shall be encouraged to convey openness and privacy as well as create useable storage area.
- F. Where gross densities or four (4) units to the acre or greater are provided, front yard setback lines should be staggered within a ten- (10) foot range to create a diversified streetscape. No front yard should be less than twenty (20) feet.

13-3-5. Easement Planning

- A. Generally, a Public Utility Easement (PUE) shall be sixteen (16) feet in width. In cases of steep [greater than a six percent (6%) slope] or unusual topography, the PUE shall be increased to twenty (20) feet in width. Additional width may be required for depths over eight (8) feet or additional utility lines. The PUE shall

be located on one (1) lot instead of straddling property lines.

- B. A one- (1) foot easement prohibiting vehicular access to and from arterials and collectors from rear yards of a double frontage lot shall be required.

13-3-6. Water Facilities Design

- A. Subdivision water system and facilities will substantially conform to the precepts of the Tusayan Comprehensive Water Master Plan and other water company master plans.
- B. Each lot or building unit shall be supplied with potable water in sufficient volume and pressure for domestic use and fire purposes. Design and construction of any and all facilities relating to transmission and distribution of potable water within and outside of any subdivision must meet with the written approval of the Town Engineer.
- C. Water mains shall be looped or installed in a circulatory configuration whenever possible. Branching or dead-end patterns may be acceptable if no looping alternative is present.

13-3-7. Sewer Facilities Design

- A. Wastewater disposal facilities shall be installed to serve each lot and be subject to the following standards and approvals:
 - 1. Public sanitary sewers shall be required. Low-pressure sewer systems are discouraged (justification acceptable to the Town Manager is required). Gravity sewer system is the preferred method of collecting and conveying wastewater. However, low- pressure sewer systems may be considered for use if a homeowners' association is established during the platting process to oversee operation and maintenance of the individual grinder pump stations and odor control. If low-pressure sewer systems are utilized within a subdivision, a hybrid of gravity and low-pressure sewer shall be contemplated with line lengths for low-pressure sewer system kept to minimum lengths in an attempt to minimize odors.
- B. Public sanitary sewers that are proposed in public utility easements extending through the rear or side yards of lots shall be discouraged. However, topography or excessive cost may dictate the installation of sewers in such public utility easements if approved by the Town Engineer. All-weather road access shall be provided to each manhole.
- C. Design and construction of any and all facilities relating to the collection and conveyance of wastewater within and outside any subdivision is the

responsibility of the Developer of the subdivision and must meet with the written approval of the Town Engineer.

- D. The Town will not issue any certificates of occupancy until the subdivision improvements are completed to the standards required by the Town and are accepted for maintenance and operation by the Town Council.

13-3-8. Drainage Design

- A. Any development that contains a floodplain must meet the Town and FEMA requirements and get the approval from the Town's Floodplain Administrator.
- B. Drainage and topography shall be a primary consideration of any subdivision.
- C. The preservation of natural flood areas, streams, washes, arroyos, rivers or ephemeral drainage courses shall be maintained, if possible, in their natural riverine environment. The limits of the ten- (10) year flood event shall define the extent of the area of concern. The only exceptions are for roadway crossings and utility lines, if no other alternative exists. Any subdivision proposal which proposes the preservation of natural flood areas shall be considered superior to all others.
- D. Drainage layout and development shall meet all state and federal requirements. The developer shall not undertake any improvements, grading and other modifications to the flood plain or floodway that result in residents of Tusayan not being able to purchase flood insurance, to receive disaster relief, or to obtain real estate loans.
- E. Subdivision improvements that propose grading and/or grade changes shall not have an adverse impact on surrounding property. At the boundaries of the subdivision, all drainage and floodwaters shall be accepted and released so that the flow characteristics are minimally disturbed by providing appropriate entrance and exit transitions.
- F. All weather access to all lots shall be provided during the 100 year regulatory flood and shall mean depths of flows over streets will not exceed one foot to allow passage of emergency vehicles. The standard applies to both public and private streets.
- G. All drainage ways that convey fifty (50) cubic feet per second or more, during the one hundred- (100) year flood event, shall be considered a regulated drainage course and shall be dedicated to the public with provisions for maintenance access ramps. Flows less than fifty (50) cubic feet per second shall be regulated for impacts to buildings and structures, particularly, the placement of the finished first floor or basement, and shall be designated a common area or noted on the Final Plat as impacting a lot and the lot owner's responsibility for maintenance.

- H. Drainage basins or watersheds with known flood hazards shall be designated as a critical basin. A Drainage Impact Study is required for critical basins. Within designated critical basins, all proposed subdivisions shall address on-site detention for the two- (2), ten- (10) and one hundred- (100) year flood event to mitigate the post-development drainage to the pre-development levels. If the Developer can demonstrate that on-site detention will exacerbate the downstream condition then the Town Engineer may waive the requirement. Downstream constructions must be considered.
- I. A drainage study which addresses the hydrologic and hydraulic components relating to onsite and off-site drainage shall be developed and prepared by a registered Arizona Professional Engineer. The drainage study shall be approved before the street improvement plans and Final Plat are approved. If the subdivision will be developed in phases, a master drainage plan will be required.
- J. An operation and maintenance manual shall be provided for storm water detention facilities. The operation and maintenance (O&M) shall be the responsibility of the homeowners association and the O&M manual shall be an attachment to the CC&Rs for the development. If a development does not have a homeowners association, the O&M manual will be required in the form of a recorded agreement. This agreement shall assign permanent responsibility for the operation and maintenance of the facility.

13-3-9. Street Lights

- A. Street lights shall be installed at all major intersections and on streets with an average lot size of ten thousand (10,000) square feet or less, at all intersections, and at the end of all cul-de-sacs and in no case more than one thousand- (1,000) foot intervals.
- B. Where street light lines are to be installed, the Developer shall provide adequate easements for public utilities (to include side lot lines if necessary).
- C. Poles for street lights shall be located behind proposed or existing sidewalks where normal rights-of-way exist.
- D. Street lights shall conform to Section 17 of the Zoning Code and Chapter 14 Design Standards.

SECTION 13-4. IMPROVEMENT REQUIREMENTS

13-4-1. Public Improvement Requirements

- A. Purpose: It is the intent and purpose of this section to set forth the minimum acceptable standards for public improvements; to define the responsibility of the applicant in planning, constructing and financing public improvements; and to set forth the Town's responsibilities in the review and acceptance of public improvements.
- B. Development of plans and specifications
 - 1. The "Uniform Standard Specifications and Details for Public Works Construction" as published by the Maricopa Association of Governments (MAG Specifications) are recognized as acceptable construction specifications and standard details. Because of variations in climate, soils, and availability of materials, modifications to the MAG Specifications may be implemented by the Town. The MAG Specifications shall be utilized at the direction and approval of the Town Engineer.
 - 2. Other pertinent manuals for the development of plans and specifications include "A Policy on Geometric Design of Highways and Streets" as distributed by AASHTO; all design manuals, specifications, and standard details as distributed by the Arizona Department of Transportation; all engineering bulletins as distributed by the Arizona Department of Environmental Quality; "Manual on Uniform Traffic Control Devices for Streets and Highways" as distributed by the U.S. Department of Transportation, Federal Highway Administration; and the various design manuals, procedures, and guidelines as published by professional organizations and governmental agencies.
 - 3. The documents described in Subparagrpahs B.1 and B.2 are adopted by reference pursuant to A.R.S. § 9-802 and at least three (3) copies of the documents described above, and any future amendments or revisions, shall be kept on file in the office of the Town Clerk. All copies shall be readily available for inspection, including any supplementary pamphlets or explanatory booklets for distribution to the public.
 - 4. All design and construction for public and private grading shall be in accordance with these standards and:
 - 1. The currently adopted International Building Codes.
 - 2. The Town of Tusayan Zoning Code.

3. The Engineered soils report (if applicable)

- C. Responsibilities: It shall be the responsibility and duty of the applicant to plan, construct, and finance all public improvements associated with subdivisions and land development, unless a Development Agreement specifically provides otherwise. These public improvements must be completed to the standards required by the Town and formally accepted for maintenance and operation before the Town will issue a certificate of occupancy for any building or structure within the subdivision or on the property. The applicant must have an engineer registered in the State of Arizona prepare a complete set of improvement plans for constructing required public improvements. Such plans shall be based on the approved Preliminary Plat, zoning case, Site Plan, and/or staff approval stipulations. The applicant must prepare these plans in conjunction and in conformance with the Final Plat. Improvement plans shall be subject to Town approval prior to recordation of the Final Plat.
- D. Public Improvements Defined: Public improvements mean any right-of-way, easement, access right or physical improvement which, upon formal acceptance by the Town, becomes the responsibility of the Town for ownership, maintenance and repair. Such public improvements may include, but are not limited to, roadways and alley sections including pavement, base course, street lights, curbs and gutters, sidewalks or trails, traffic control improvements, right-of-way landscaping and irrigation systems, drainage facilities, fire hydrants and utilities, including water, sewer, gas, electric power, telephone, and cable television, and all other improvements, which upon completion, are intended to be for the use and enjoyment of the public.
- E. Public improvement Agreement: If, pursuant to Section B, Responsibilities, above, the applicant's subdivision, zoning change or development, either new development on existing, vacant or undeveloped property or an addition or expansion to existing developed property, creates the need for the dedication, acquisition, installation, construction or reconstruction of public improvements, then, after such determination has been made, the applicant shall enter into a public improvement agreement prior to the Town's approval and/or issuance of the Preliminary Plat, site plan or Building Permit. The Developer shall provide assurances in accordance with 13-2-8 of these Development Standards for public improvements. The public improvement agreement shall be in a form approved by the Town and shall provide for the dedication and/or construction of necessary public improvements by the applicant. If appropriate, the terms of the public improvement agreement may be incorporated into a Town-approved Development Agreement. The public improvements agreement may, if approved by the Town Engineer, provide that the installation, construction or reconstruction of public improvements shall be in specified phases. If construction in phases is approved, the provisions of this division shall apply to each phase as if it were a separate and distinct public improvements agreement. Any such phase shall be

an integrated, self-contained development consisting of all public improvements necessary to serve the property to be developed as part of said phase.

F. Exemptions: The following exceptions are exempt from all the requirements of these Development Standards except for the installation, construction or reconstruction of water and sewer line extensions, drainage improvements, and street and traffic control related improvements.

1. An expansion or alteration of an existing nonresidential or residential use that results in a 25 percent or less increase in the intensity of the use in terms of additional dwelling units, gross floor area, seating capacity or parking spaces, either with a single or cumulative addition(s) or expansion(s).
2. An expansion or alteration of an existing nonresidential or residential use that results in a change of less than 50 percent of the actual value of the structure prior to the start of construction as determined from the records of the Coconino County Assessor or by a current appraisal by an appraiser licensed by the State of Arizona.
3. Construction of a single-family detached residence or a duplex residence of any value or an addition or alteration to an existing single-family residence or existing duplex residence, sized in accordance with the minimum requirements provided in the Engineering Standards.

G. Impact Analysis Required

1. Pursuant to the Design Standards in Chapter 14 of the City Code, the Town Engineer shall require the applicant to furnish impact studies to assess the impact of new development on the Town's existing streets, public utilities and drainage infrastructure. The Town Engineer shall assess the impact of new development on the Town's utility infrastructure.
2. When an impact study identifies impacts to the Town's public infrastructure that are attributable to the proposed development, impact mitigation is required. The design and construction of improvements to mitigate the identified impacts shall be constructed by the applicant.
3. The requirements of this subsection may be waived with the consent of both the Town and the applicant.

H. Minimum Requirements

The public improvements required pursuant to these Development Standards shall have a rational nexus with, and shall be roughly proportionate to, the impact(s) created by the subdivision or land development as determined by the

studies described in Section G, Impact Analysis Required, above. The presumptive minimum requirements that are required for public improvements are:

1. Right-of-Way. If, as determined by the Town Engineer, the property to be developed does not have adequate rights-of-way due to the new development, or will not accommodate proposed or contemplated public improvements, then necessary right-of-way shall be granted to the Town. The Town Engineer may impose special requirements to assure future right-of-way needs as may be contemplated under the existing General Plan or other approved land use documents.
 - a. In the event that the granting of right-of-way or drainage way creates a nonconforming lot due to the decrease in land, the remaining portion shall be considered a legal nonconforming lot.
 - b. When it is necessary for a development to improve a street and, sufficient right-of-way is not available from other area property owners not subject to the provisions of this division, the Town Manager, with the approval of the Council, may pursue all legally permissible steps in order to obtain the property necessary for the right-of-way provided there is a demonstrated public need for the additional right-of-way.
2. Water. Water system improvements sized for the development in accordance with the Engineering Standards, shall be extended to the property being developed. Water lines shall be extended by the Developer to and across the full front, side, and/or rear boundaries of the property being developed where needed, as determined by the Town Engineer. Additionally, where needed as determined by the Town Engineer, water lines sized in accordance with established criteria and protocols employed by the Utilities Division and/or an approved utilities master plan adopted in support of the General Plan to accommodate future development shall be extended through the property being developed to the property boundaries to provide future connection with adjoining lands.
3. Sanitary Sewer. Sanitary sewer system improvements sized for the development in accordance with the Engineering Standards shall be extended to the property being developed. Sewer lines shall be extended to and across the full front, side, and rear boundaries of the property being developed where needed, as determined by the Town Engineer. Additionally, where needed as determined by the Town Engineer, sewer lines sized in accordance with established criteria and protocols employed by the Utilities Division and/or an approved utilities master plan adopted in support of the General Plan to accommodate future development shall be extended through the property being developed to the property boundaries to provide future connection with adjoining land.

4. **Drainage.** Drainage improvements required for the development in accordance with the Engineering Standards and all applicable Town stormwater regulations. When developments are required to perform a Drainage Impact Analysis (DIA) and the approved DIA identifies impacts to the public drainage system as a result of the proposed development, impact mitigation by the applicant is required. Design and construction of improvements that mitigate the impacts attributable to the development, as identified in the approved DIA, shall be the sole responsibility of the applicant. Public drainage improvements are applicable to adjacent right-of-way and on-site based on the findings of required drainage reports, applicable stormwater master plans and General Plan improvements or other documents that clearly demonstrate the need for drainage facilities.
5. **Franchise Utilities.** All telephone, electric power, cable television, natural gas, or other wires or cables necessary to serve the development in accordance with the owning franchise requirements and the Engineering Standards.
6. **Alley/Lane Improvements.** When property access is necessary or proposed via an alley/lane, full width alley/lane improvements along the full property frontage in accordance with the Engineering Standards. Alley/lane improvements shall also be extended to the nearest public street if no improved alley or lane connection presently exists.
7. **Trails System Improvements.** Full width trail improvements in accordance with the Engineering Standards through or along the full frontage of the property being developed along alignments indicated in the General Plan.
8. **Traffic Control Related Improvements.** When developments are required to perform a traffic impact analysis (TIA) in accordance with the Engineering Standards, and the approved TIA identifies impacts to the public road system as a result of the proposed development, impact mitigation by the applicant is required. Design and construction of improvements that mitigate the impacts attributable to the development, as identified in the approved TIA, shall be the sole responsibility of the applicant.
9. **Street Improvements.** Street improvements shall be constructed to and across the full front, side and rear boundaries of the property being developed where needed, as determined by the Town Engineer, as follows:
 - a. Any multi-residential or non-residential construction shall be required to construct a minimum 24-foot wide street to accommodate two-way traffic and emergency vehicles as well as if required, on-street parking or bike lanes for the full frontage(s) of

the development property boundaries which abut existing or proposed public streets.

- i. Street types adequate to serve the anticipated traffic volumes generated by the development and the projected neighborhood growth patterns resulting in future developments as may be contemplated under the existing General Plan or other approved land use documents will be required.
- ii. Street Design Standards for required roadway elements are in Chapter 14 Design Standards. The Average Daily Traffic (ADT) determine the street section requirements.
- iii. If the property being developed is not adjacent to an existing improved public street, Subsection b, below, shall apply.

Where the property being developed is separated from an existing improved public street by an unimproved section of public street, the applicant will be required to construct such connection as necessary to facilitate traffic to/from the development. If there are additional undeveloped properties adjacent who could benefit from the improvements in the future, a Recapture Agreement (See Section 13-4-4) could be created.

10. The Developer is required to mitigate impacts of the subject development. If at the time of development the Town wishes to make improvements to its general public infrastructure capacities, the Town may bear the additional cost(s) associated with the upgrading of capacities of those improvements. The limits of the Town's participation shall be determined by the difference in the approved design and construction costs with and without mitigated capacity increases of those improvements.

I. Inspection and Acceptance of Public Improvements

1. The Town Engineer shall provide for inspection of required public improvements during construction to ensure their satisfactory completion.
2. If the Town Engineer finds upon inspection that any of the required public improvements have not been constructed in accordance with the Engineering Standards and the approved construction plans, the applicant shall be responsible for completing or replacing such improvements as to the specifications of the Town.
3. Final inspection of public improvements will be scheduled with the Town Engineer prior to their acceptance.

4. The Town will not accept the required public improvements nor release any assurance (See 13-2-8 Assurances) until the development is accepted by the Town Engineer. The Town Engineer shall issue a letter of completion upon final acceptance.
5. The Town will not issue any certificates of occupancy until the subdivision improvements are completed to the standards required by the Town and accepted for maintenance and operation by the Town Council.

J. Appeals

Any person, firm or corporation may appeal the dedication or exaction required as a condition of granting approval for the use, improvement or development of real property, in accordance with the appeal provisions established in Article 13-5 Modifications, Appeals and Enforcement.

13-4-2. Frontage Improvement Requirements

Full-street improvements shall be required for adjacent streets. Curb shall be installed on adjacent side only. A fee in lieu of improvements may be substituted as approved by the Town Council.

13-4-3. Development Agreement

- A. Purpose: The purpose of this division is to provide procedures for the processing of Development Agreements in compliance with A.R.S. § 9-500.05. An application for a Development Agreement may only be filed by a person owning or having a legal interest in the subject real property, or a person authorized to act on the owner's behalf.
- B. Contents of Development Agreements
1. Provisions Allowed: A Development Agreement may include any of the provisions specified in A.R.S. § 9-500.05, as applicable to the development proposal that is the subject of the Development Agreement as determined by the Town.
 2. Provisions Required: A Development Agreement must include, but are not limited to, the following provisions:
 - a. The duration of the Development Agreement;
 - b. Provisions for the protection of environmental resources, if applicable;
 - c. The public benefit offered by the applicant as consideration for entering into the Development Agreement; and,

- d. A waiver of claims for diminution in value for any changes in land use law relating to the subject property and the related proposed development.
- 3. Provisions Prohibited: A Development Agreement shall not include requirements for the City to exercise its legislative or quasi-judicial powers in a particular way.

C. Consideration and Decision

- 1. Staff Responsibilities
 - a. The Town Manager in consultation with the Town Attorney and Town Engineer shall direct the negotiations with the applicant regarding terms of the Development Agreement.
 - b. Once negotiations are completed, the Town Manager shall schedule the proposed Development Agreement for approval by the Council in compliance with this division.
- 2. Planning Commission Recommendation: When considering a development proposal at a public hearing for a Zoning Map amendment, Pre-annexations, Preliminary Plat, or other development proposal for which a Development Agreement is proposed, the Planning Commission may, but is not required to, make a recommendation on the contents of a draft Development Agreement for that development.
- 3. Council Determination
 - a. The Council shall consider approval of the Development Agreement at a public meeting. When also considering a development proposal for a Zoning Map amendment, Pre-annexations, subdivision Preliminary Plat, or other development proposal for the subject property, approval of the Development Agreement may be made conditional upon approval of the related application.
 - b. When approving the Development Agreement, the Council shall make the following findings:
 - i. The Development Agreement provides benefit to the Town;
 - ii. The Development Agreement is consistent with the purpose, intent, goals, policies, programs and land use designations of the General Plan, any applicable specific plans, and this Zoning Code; and,
 - iii. The Development Agreement complies with the requirements of A.R.S. § 9-500.05.
 - c. Approval of the Development Agreement shall be by resolution or ordinance and shall not be enacted by emergency clause. The effective date of the agreement may be more but not be less than 30 days after the Council's approval of the Development Agreement.

4. Execution and Recordation

- a. The persons authorized to sign the Development Agreement on behalf of the applicant(s), owner(s), and all persons having an interest in the subject property shall execute the Development Agreement prior to approval by the Council.
- b. If changes are made at the Council meeting where the Development Agreement is considered, the persons authorized to sign the Development Agreement on behalf of the applicant(s), owner(s), and all persons having an interest in the subject property shall execute the revised Development Agreement prior to the City signing the Development Agreement and an updated Proposition 207 waiver.
- c. Within 10 days after all parties, including the City, have executed the Development Agreement, the City Clerk shall record a copy, at the applicant's expense, of the Development Agreement with the County Recorder. Recordation of the Development Agreement constitutes notice of the Development Agreement to all persons.

- D. Amendment and Cancellation: A Development Agreement may be amended or cancelled, in whole or in part, by mutual consent of the parties to the Development Agreement or by their successors in interest or assigns using the same procedure for entering into the agreement in compliance with Subsection C, above.

13-4-4. Recapture Agreement

- A. If a property owner or developer extends a roadway, water or sewer main across undeveloped property to reach his development or property, and wishes to be reimbursed for the cost of installing said extension by future customers along the length of the lines, he may request a recapture agreement be drawn up by the Town. Developers may request a recapture agreement when a line is constructed across the frontage of parcels not currently receiving service from the Town. When the owner of the designated parcel requests service, a pro-rated cost of the line is collected by the Town and returned to the developer. Recapture agreements are set up through the Town Manager. For questions or details on the procedure to initiate an agreement, contact the Town Manager.
- B. The maximum period of time of the recapture agreement shall be five (5) years.

SECTION 13-5. MODIFICATIONS, APPEALS AND ENFORCEMENT

13-5-1. Modifications

A. Modification of Standards

The Town Engineer may approve a variance to modify the standards required by these Development Standards as they apply to a particular property when there exist unusual conditions of topography, land ownership, adjacent development or other circumstances which would not be able to be addressed to best serve the interests of the citizens of the Town if the requirements of this ordinance were strictly applied.

B. Modification of Final Plat

No change, erasure, modification or revision shall be made on or of any Final Plat after approval by the Town Council unless the Town Council first approves any proposed alteration; and any alteration shall be void unless approval thereof is endorsed upon the Final Plat by the Town Council.

13-5-2. Appeals

- A. Appeals:** Any decision, or interpretation, of these Development Standards may be appealed to the Town Manager; decisions of the Town Manager may be appealed to the Town Council. The agency to which a decision has been appealed may either: (a) uphold, (b) reverse, (c) modify, or (d) refer the decision back to its author for reconsideration. Zoning Amendments must follow the procedure in the Zoning Code.
- B. Time limits:** Appeals will only be considered if they are filed within ten (10) working days of a decision. Decisions are final after the ten- (10) day appeal period has passed, if no appeal has been filed.
- C. Stays of proceedings:** An appeal suspends the action taken and stays all proceedings in the matter, unless the Town certifies that a stay would cause imminent peril to life or property. Upon such certification, proceedings shall not be stayed except by restraining order as injunctive relief granted by a court of record on application and notice to the Town. Proceedings shall not be stayed if the appeal requests relief which has been previously denied except pursuant to a special action in Superior Court.

13-5-3. Enforcement

- A. Fines/imprisonment:** Any person, as principal, owner, agent, tenant, employee, or otherwise found violating this ordinance, or violating or failing to

comply with any order or regulation made hereunder, shall be guilty of a civil violation punishable as provided in the Town Code. Such person shall be deemed guilty of a separate offense for each and every day during which any such violation or failure to comply with these regulations is committed, continued or permitted. All remedies provided for herein shall be cumulative and exclusive. A finding of guilty or responsibility and punishment of any person hereunder shall not relieve such person from the responsibility to correct prohibited conditions. In addition to the other remedies provided herein, any adjacent or neighboring property owner who is damaged by the violation of any provision of this ordinance may institute any action in law or equity to prevent or abate such violation.

- B. **Enforcement action:** Any division of property contrary to this ordinance is hereby declared to be a public nuisance and the Town Attorney may, upon order of the Town Council, or on his own initiative, immediately commence all necessary actions or proceedings for the abatement, enjoinder, and removal thereof in the manner provided by law; and may take such other lawful steps as may be necessary, and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate, enjoin, and restrain any person from violating this ordinance.

13-5-4. Severability

It is the intention of the Town that the provisions of this ordinance are separable such that if any court of competent jurisdiction shall adjudge invalid: (1) any provision of this ordinance, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment; or (2) the application of any provision of this ordinance to a particular property, or structure, such judgment shall not affect the application of said provision to any other property, or structure, not specifically included in said judgment.

SECTION 13-6. TERMINOLOGY

13-6-1. Usage

For purposes of this ordinance, certain terms, phrases, words, and their derivations shall be construed as specified herein. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. The word "shall" is mandatory and the word "may" is permissive, except when used in the negative. When not inconsistent with the context, the present tense includes the future, the singular includes the plural, and the plural includes the singular. Where terms are not defined, they have their ordinarily accepted meanings within the context in which they are used. Webster's Dictionary of American English provides the ordinarily accepted word meanings referred to above.

13-6-2. Definitions

Abutting – The condition of two adjoining properties having a common property line or boundary, including cases where two or more lots adjoin only at a corner(s).

Access point – Emergency or permanent all-weather access.

Alley – A public way, other than a street, which affords a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

All-weather road – Shall be designed and constructed to support a loaded scraper during a "proof roll." A scraper may be substituted with other equipment as approved by the Town Engineer.

ARS - The Arizona Revised Statutes as they may be amended from time to time.

Basin, drainage – A geographical area that contributes surface runoff to a particular concentration point.

Block – A piece or parcel of land or group of lots entirely surrounded by public or private streets, streams, washes, parks, or a combination thereof of sufficient magnitude as to interrupt the continuity of development.

Building setback line – The required minimum distance, as prescribed by the zoning ordinances, between the property line and the closest point of any building or structure.

CC&Rs - Covenants, Conditions and Restrictions placed on the ownership of the property.

Commission - The Town's Planning and Zoning Commission.

Committee, Development Review – An informal review panel consisting primarily of

representatives from the planning and zoning and engineering departments.

Concept Master Plan – The planning level master plan submitted for first review of a large-scale development with multiple phases.

Concept Plan – A preliminary presentation of a proposed subdivision or site plan of sufficient accuracy to be used for discussion purposes and identification of any items of controversy or issues of concern.

Council – The Town Council of the Town of Tusayan.

Dedication - The intentional conveyance appropriation having the effect of conveyance of land by its owner for any general or public use, with no special rights reserved to said owner.

Developer –A person, firm, partnership, joint venture, trust, syndicate, association, corporation, limited liability company or other legal entity who desires to improve or otherwise engage in any development of property within the Town, including the owner of the property.

Development – The utilization of land for public or private purposes.

Development Review Committee – Town Staff designated by the Town Manger to review submittals.

Easement – A grant by the owner of the use of land by the public, a corporation or person for the specific uses designated.

Exception – Any parcel of land that is not owned by the Developer or not include in the recorded Plat.

Fill – Soil, rock, or other material deposited at a location by man that raises the grade at that location.

Final Plat – A Final Plat of a subdivision, including supporting data, in substantial conformance to an approved Preliminary Plat and all stipulations or conditions placed upon it by the Commission or Town Council, prepared by a registered land surveyor, in accordance with this ordinance and the Arizona Revised Statutes.

Finished grade – The final grade and elevation of the ground surface after grading is completed and in conformance with the approved grading plans.

Floodplain – Low lands adjoining the channel of a river, stream or watercourse, lake or other body of water, which have been or may be inundated with floodwater, and those

other areas subject to flooding. A floodplain may be that area further defined as shown on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Plats (FIRM) or an approved flood control study.

Flood-prone area – Any area within a floodplain.

Highway – A roadway owned, operated and maintained by the Arizona Department of Transportation.

Improvements – Required installations, pursuant to this ordinance and any zoning stipulations, including, but not limited to, grading, sewer, water, utilities, streets, curbs, gutters, sidewalks, trails, street lights, traffic control devices and landscaping as a condition to the approval of the Final Plat, before recordation.

Improvement Plans – A set of plans setting forth the profiles, cross-sections, details, specifications, instructions and procedures to be followed in the construction of public or private improvements in the Town that are prepared and bear the seal of an Arizona-registered land surveyor, engineer, architect or landscape architect in accordance with the approved Preliminary Plat, and zoning stipulations and in compliance with standards of design and construction that are to be approved by the Town Engineer, other Town departments and all applicable utilities.

Improvement standards – A set of regulations and exhibits setting forth the details, specifications and instructions to be followed in the design and construction of required improvements.

Land division - Any change in an existing property line involving subdivision, a regulated land split or a lot line adjustment.

Land split, exempt - A division of a property larger than 2½ acres, which does not involve a subdivision, into two or three separate lots.

Land split, regulated - A division of a property of 2½ acres or less, which does not involve a subdivision, into two or three separate lots.

Lot - A single piece of property having frontage on a publicly dedicated and accepted street or a private road approved and accepted by the Town and which has been established by a recorded subdivision Plat or otherwise established by some legal instrument of record which is described and noted as such.

Lot corner – The intersection of two (2) or more lot lines, or angle point or change in direction of a lot line.

Lot, corner – A lot located at the intersection of two (2) or more streets (corner lot).

Lot, interior – A lot other than a corner lot.

Lot line – A line dividing one (1) lot from another or from a street or any public place.

Lot, through - A lot that abuts a street along its front and rear property lines.

Lot line adjustment - The relocation of a line dividing two properties.

Notice to Proceed - A notice issued by the Town Manager informing the applicant for approval to proceed with the next stage in the subdivision process.

Open space – Any parcel or area of land or water, natural or improved and set aside, dedicated or reserved for the use and enjoyment of all the residents of the development or the public in general. Open space does not include vacant or undeveloped lots, bike lanes or sidewalks attached to the back of the curb.

Owner – The person or persons holding title by deed to land, or holding title as a vendor under a land contract, or holding any other title of record.

Parcel - A property described by metes and bounds or aliquot description by the government rectangular survey system, and not included in any subdivision.

Plat – A plat meeting the provisions of this chapter that provides for changes in land use or ownership.

Preliminary Plat – A Plat including supporting data, indicating a proposed subdivision design, prepared by a registered civil engineer, or a registered land surveyor, in accordance with this ordinance and the Arizona Revised Statutes.

Preliminary Utility Statement – A letter or report submitted with the Preliminary Plat from a registered engineer that will address the proposed utility connections including sewer, water and dry utilities. It will also specifically list the approvals that will be required to be obtained with the construction documents (ie ADEQ, Sanitary District or other private utility approvals).

Pre-application conference – An initial meeting between Developer and Development Review Committee that affords the Developer the opportunity to present his proposals informally and discuss the project and address any items of controversy or requirements before the Preliminary Plat is submitted.

Recorder – The recorder of Coconino County.

Recorded plat – A Final Plat bearing all certificates of approval required by this ordinance and the Arizona Revised Statutes and duly recorded in the Coconino County

recorder's office.

Replat – Re-subdivision.

Re-subdivision - A change in the boundaries of a lot or tract of land which has previously been described in a recorded subdivision.

Right-of-way – Any public or private access way required for ingress or egress, including any area required for public use pursuant to any official plan; rights-of-way may consist of fee title dedications or easements.

Sidewalk – A pedestrian way constructed of Portland cement concrete, and may be four (4) (residential street) or five (5) feet wide (collector or arterial street).

Street - As defined in ARS §9-463(8), as amended.

Street, arterial - As shown on the Town's General Plan, or a heavily traveled street of considerable continuity and used primarily as a traffic artery for intercommunication between areas.

Street, collector - As shown on the Town's General Plan.

Street, cul-de-sac – A local street having one (1) end permanently terminated in a vehicular turnaround, or an equally convenient form of turning, with backing areas as may be recommended by the Town Engineer.

Street, frontage – A local street parallel to an arterial or collector street or road which intercepts the residential traffic and controls access to the arterial and collector roads.

Street, local – Provides for direct access to residential or other abutting land and serve local traffic movement with connections to roadways of higher classification.

Street, private – Any road or street that is not publicly maintained providing access to lots or units over a common parcel, primarily by the owners or occupants of the common parcel, and necessary service and emergency vehicles, but from which the public may be excluded.

Street, public - A street that has been dedicated to the Town for public use and either meets Town design and construction standards, or was dedicated to the Town prior to the adoption of such standards.

Subdivision - Improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four (4) or more lots, tracts or parcels of land, or if a new street is involved, any such property which is divided into two (2) or more lots, tracts or parcels of land, or any such property, the boundaries of

which have been fixed by a recorded plat, which is divided into more than two (2) parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing four (4) or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or manner in which the buildings or airspace above the property shown on the Plat are to be divided. "Subdivision" does not include the following:

1. The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
2. The partitioning of land in accordance with other common ownership.
3. The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.

Technical review – The detailed review of the Development Master Plans, site plans, Preliminary Plats, improvement plans and Final Plats by the Development Review Committee, for compliance with Town codes, ordinances, standards or conditions of approval by the Commission or Town Council. Other utilities and public agencies are invited to review the Plat as it relates to their conditions of service or need.

Town Engineer - The Town's Engineer or a designee.

Tract – A parcel of land in a subdivision which is dedicated for a specific use other than as a lot. Uses may include common areas, private roads, drainage facilities, recreation sites, parks, open space or other uses.

USC&GS – The United States Coastal and Geodetic Survey.

Utility easement – A public easement for the installation of public utilities; also known as a public utility easement, or "PUE."

Watercourse – Any lake, river, stream, creek, wash, arroyo or other body of water or channel having banks and bed through which waters flow at least periodically.

Water supply, adequate – A written statement from the water company, providing water to the subdivision, that states the water supply and flows are adequate and in accordance with Town and fire department requirements.

Zone – A District classification established by the Zoning Ordinance of the Town of Tusayan that limits or permits various or specific uses.

Zoning District – A zone area in which the same Zoning Ordinances apply throughout the District.

Zoning Ordinance – The most recent version of the Zoning Ordinance for the Town of Tusayan.

ITEM NO. 6

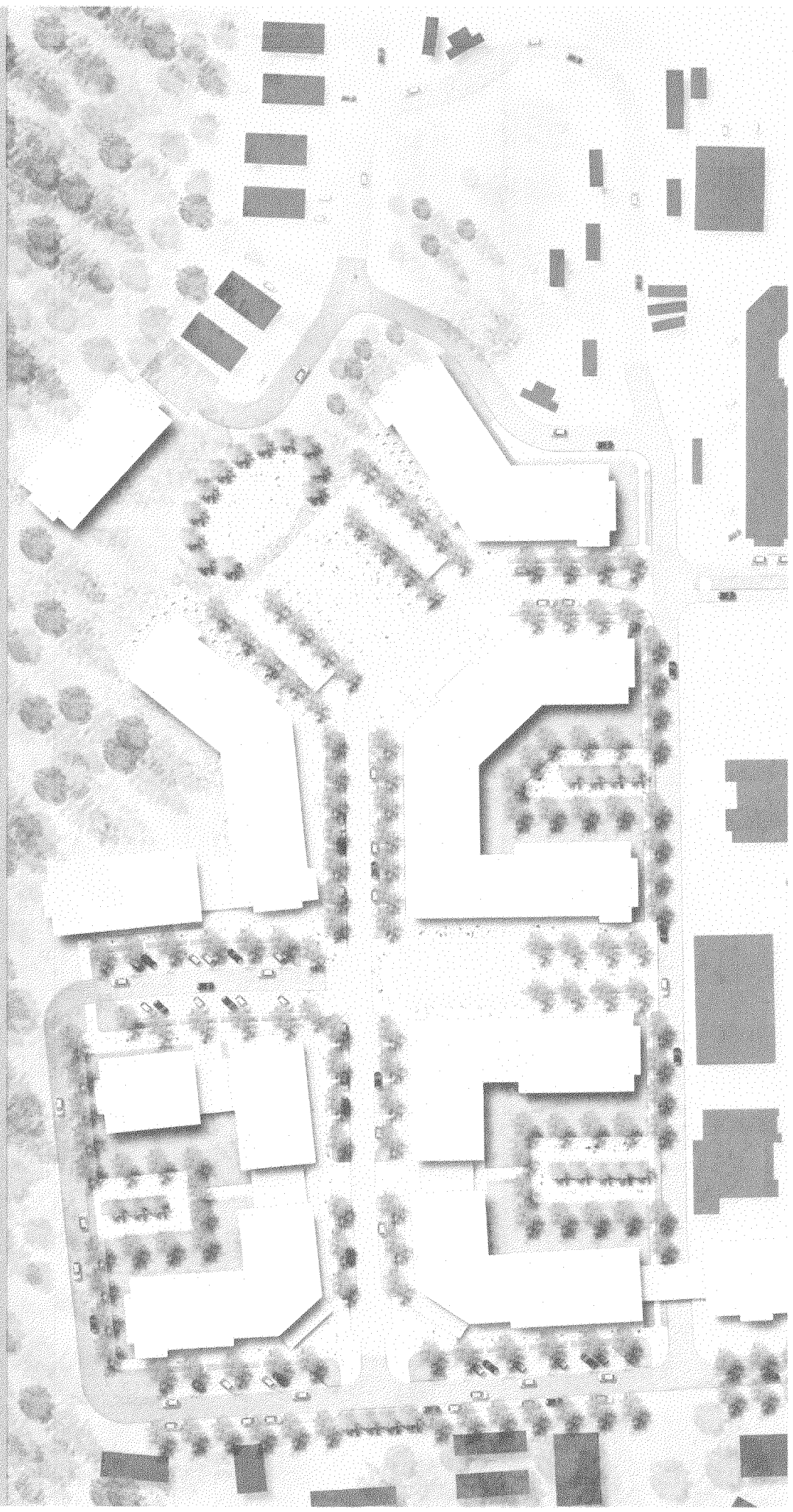
DESIGNWORKSHOP

KAIBAB VILLAGE

Cocotino County, Arizona

MASTER PLAN

March 2015



LOGAN LUCA LLC
7610 E McDonald Drive, Suite L
Scottsdale, Arizona 85250

GAMMAGE & BURNHAM
2 North Central Avenue, 15th Floor
Phoenix, Arizona 85004

SITE ADDRESS
Coconino County
APNs 502-17-002K, 502-17-001P, 502-17-005

CONTENTS

CONTENTS	i
INTRODUCTION	1
PROJECT NARRATIVE	3
MASTER PLAN	5
ILLUSTRATIVE MASTER PLAN	7
LABELED SITE PLAN	9
REFERENCE PROJECTS	11
ARCHITECTURAL CHARACTER	13
REFERENCE IMAGES	14
ELEVATIONS	17

1

INTRODUCTION

Kaibab Village Preliminary Site Plan Narrative

Logan Luca is the owner of the 19.62 acres located in central Tusayan, just east of Highway 64 ("Camper Village"). Pursuant to Section 8(c)(iii) of the First Amendment to the Pre-Annexation and Development Agreement (PADA), Logan Luca is submitting this preliminary site plan to prepare for Limited Commercial Development on the property known as Camper Village. Camper Village is currently operating as recreational vehicle and mobile home park. Camper Village is also the temporary location of up to 16 homes that provide interim housing for some Tusayan residents.

The purpose of this narrative is to briefly describe the preliminary development plans for the property currently known as Camper Village. As part of the redevelopment, the Camper Village property will be named Kaibab Village. We envision Kaibab Village as the downtown district for Tusayan. At build-out, Kaibab Village will include a vertical, mixed-use, main street style development. We intend to develop three (3) story mixed-use buildings with associated underground parking. The buildings will be a mixture of commercial, lodging, and residential. The total building footprint is approximately 170,000 square feet. As shown on the site plan, the primary site entry crosses two parcels that are not currently owned by Logan Luca. We anticipate adding these parcels in the future.

As the pre-development process continues, we will prepare a phasing schedule and provide a housing analysis to identify the number of units proposed and the location. While we do not know the exact mix or number of employee housing units, several of the buildings will include housing for the Camper Village employees until permanent housing is available at either Kotzin or Ten X.

As a high-quality mixed use commercial and retail development, Kaibab Village will emphasize aesthetic quality, environmental sustainability and site design requirements. For Tusayan, Kaibab Village represents an opportunity to provide the Town with an enhanced tax base and a more diversified employment base, to help mitigate off-season layoffs. Kaibab Village will create a high-quality downtown district that will foster a greater sense of community and enhance quality of life.

Infrastructure:

Water: To ensure an adequate water supply at Kaibab Village.

- Camper Village is currently served by Hydro Resources.
- Prior to approval of any subdivision plat, the Applicant will demonstrate an adequate and reliable water supply exists, in conformance with all regulatory requirements.

Wastewater:

- Kaibab Village is within the South Grand Canyon Sanitary District (SGCSD).
- Pursuant to the Tusayan Area Plan ("TAP"), developer(s) will pay their fair share for reclaimed water storage and distribution system facilities and.
- All applicable local, state and federal policies, rules and regulations will be satisfied.
- Prior to approval of any subdivision plat or site plan, the Applicant will need to demonstrate that an adequate and reliable wastewater disposal system will be provided in compliance with all regulatory requirements.

Utilities:

Arizona Public Service is the provider of electricity. Century Link is the telephone provider.

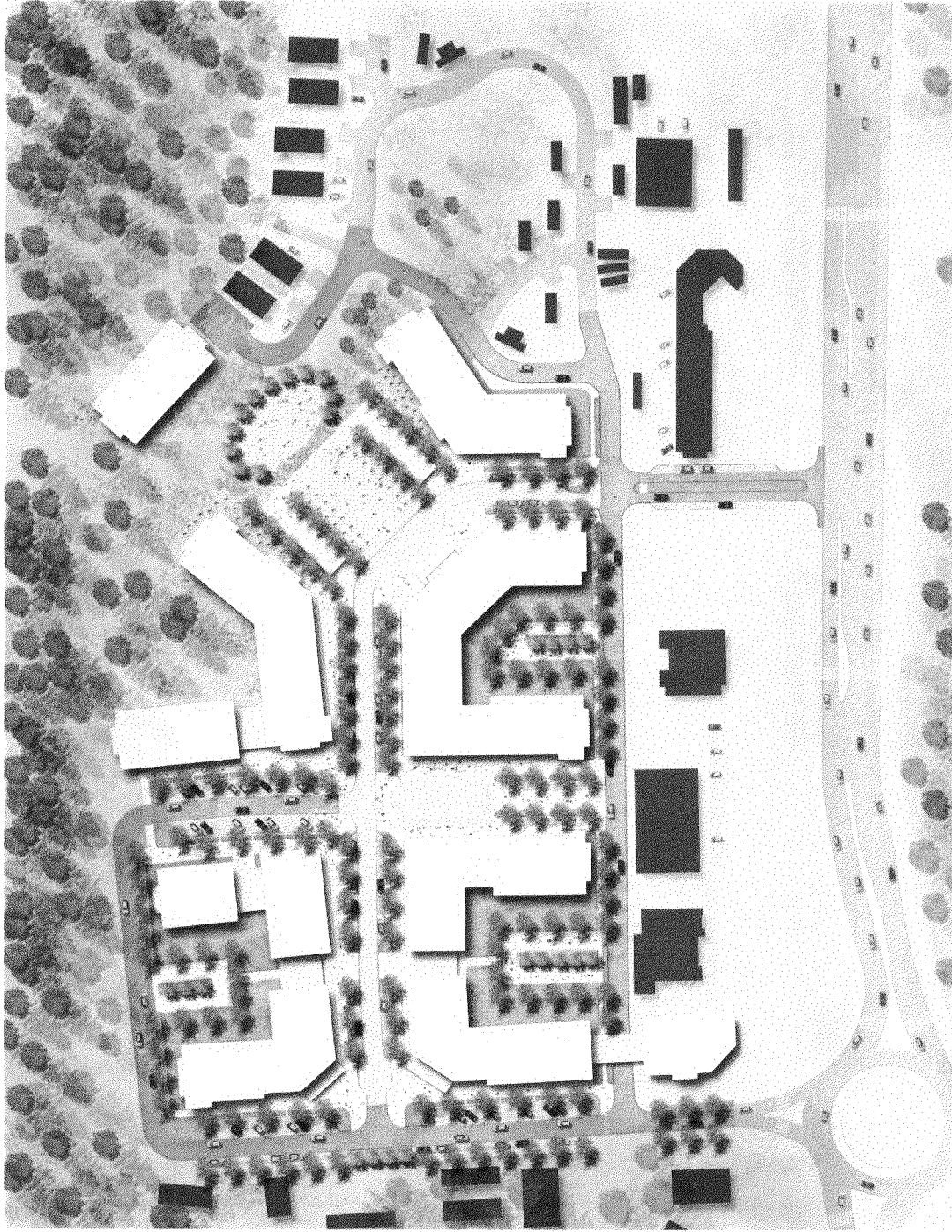
Police:

The Coconino County Sheriff's Office is responsible for law enforcement.

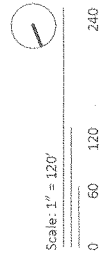
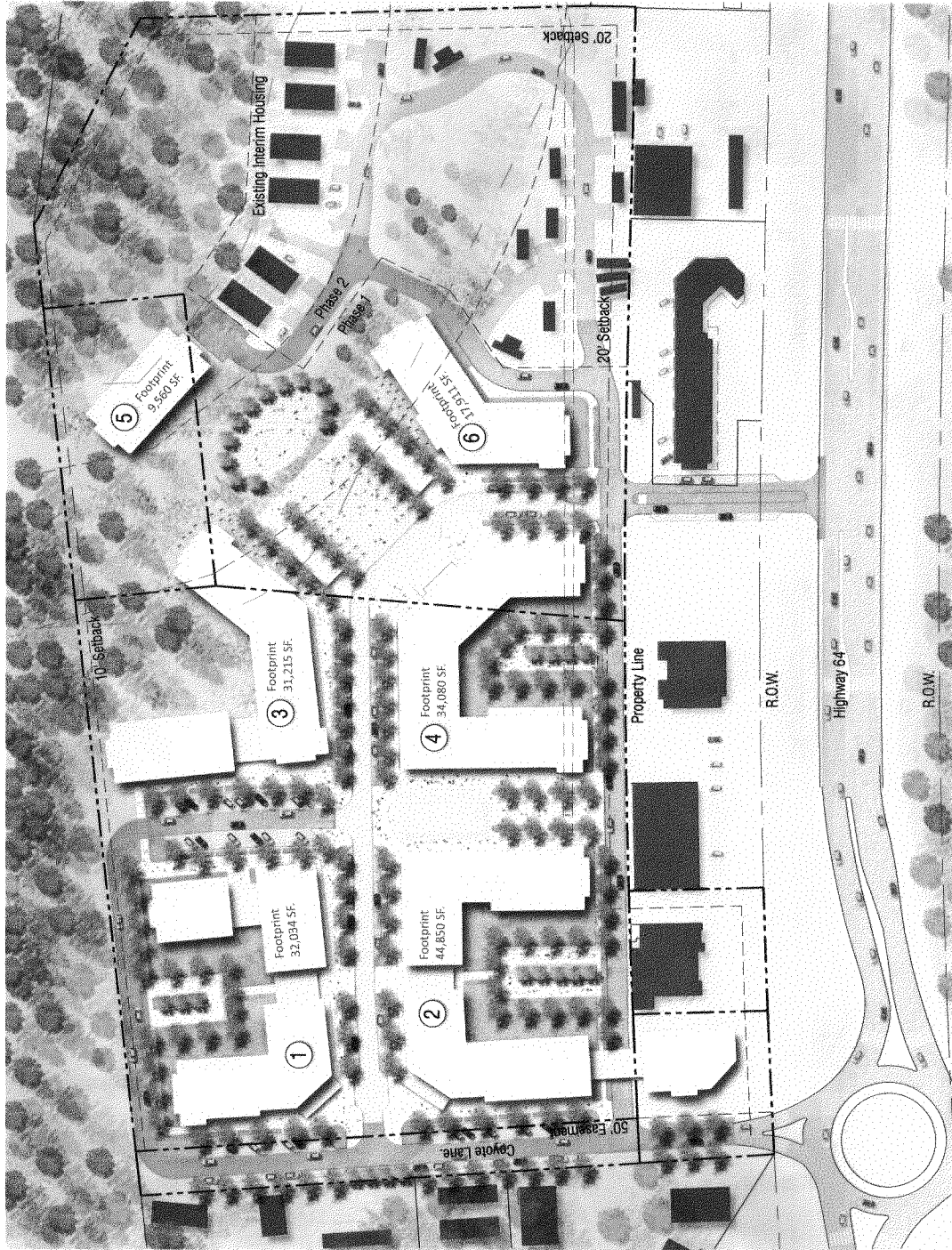
2

MASTER PLAN

ILLUSTRATIVE MASTER PLAN



LABELED SITE PLAN



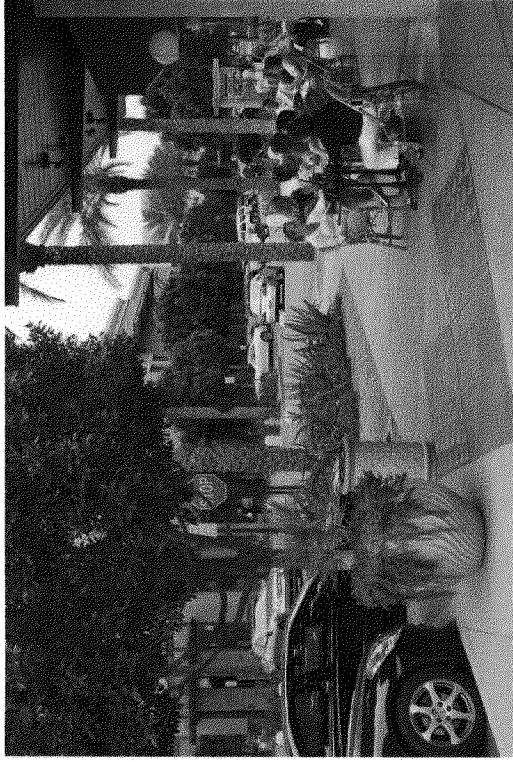
REFERENCE PROJECTS

The urban form of the Kaibab Village project is based on pedestrian oriented streets and building forms that encourage mixed use. The framework allows for integrating retail, leisure and hospitality to create a distinct destination within the Tusayan community.

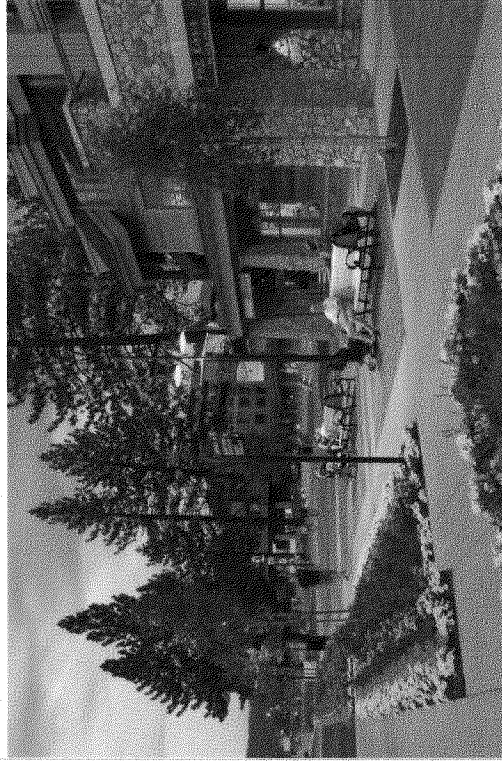
Appropriately sized streets and sidewalks, along with a sequence of open spaces, provide an experience focused on the pedestrian realm and first floor building uses. The architecture is envisioned as a mountain style, which responds to the unique characteristics of the region, while the distribution of open spaces and connections provide places for social interaction, events, cultural exchange and community entertainment.



City North, Phoenix, Arizona



Kierland Commons, Phoenix, Arizona

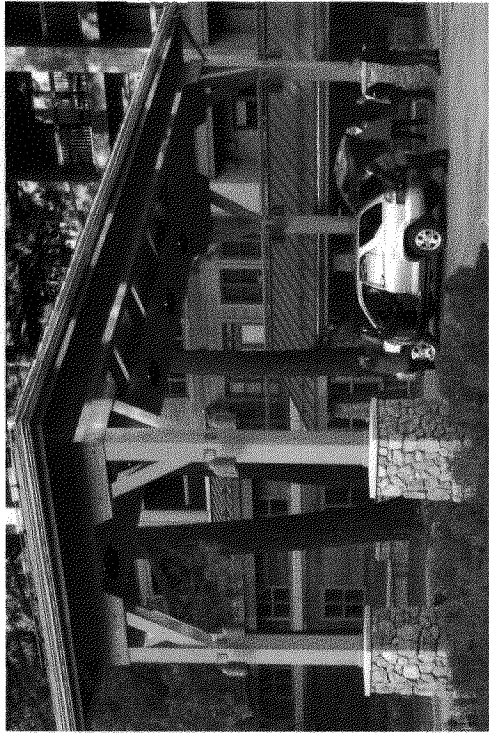
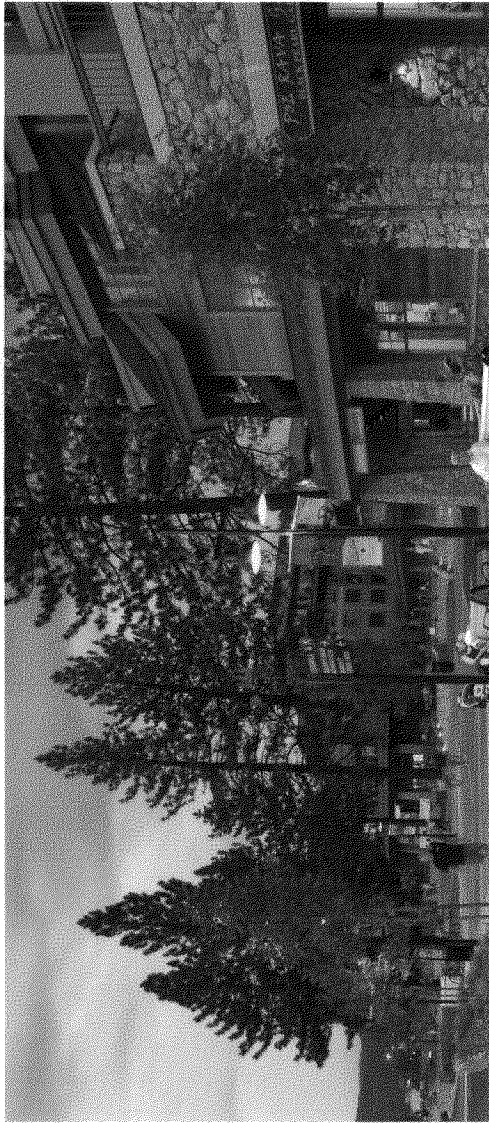


Park Avenue, South Lake Tahoe, California

3

ARCHITECTURAL CHARACTER

REFERENCE IMAGES





ELEVATIONS

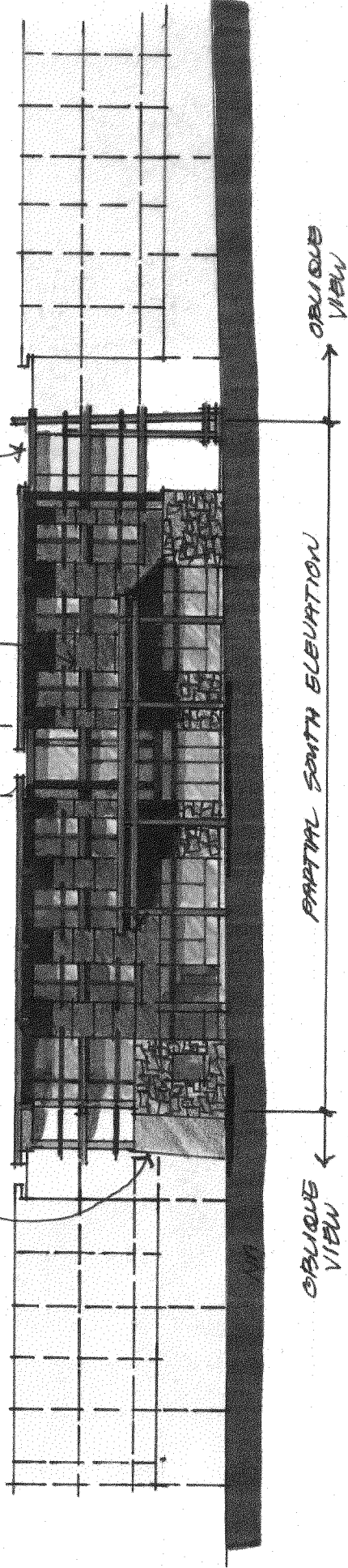
BUILDING 2 CHARACTER STUDY
CL4

©1/20

HEAVY TIMBERS

NATIVE STONE WOOD SIDING

HOTEL
ENTRY

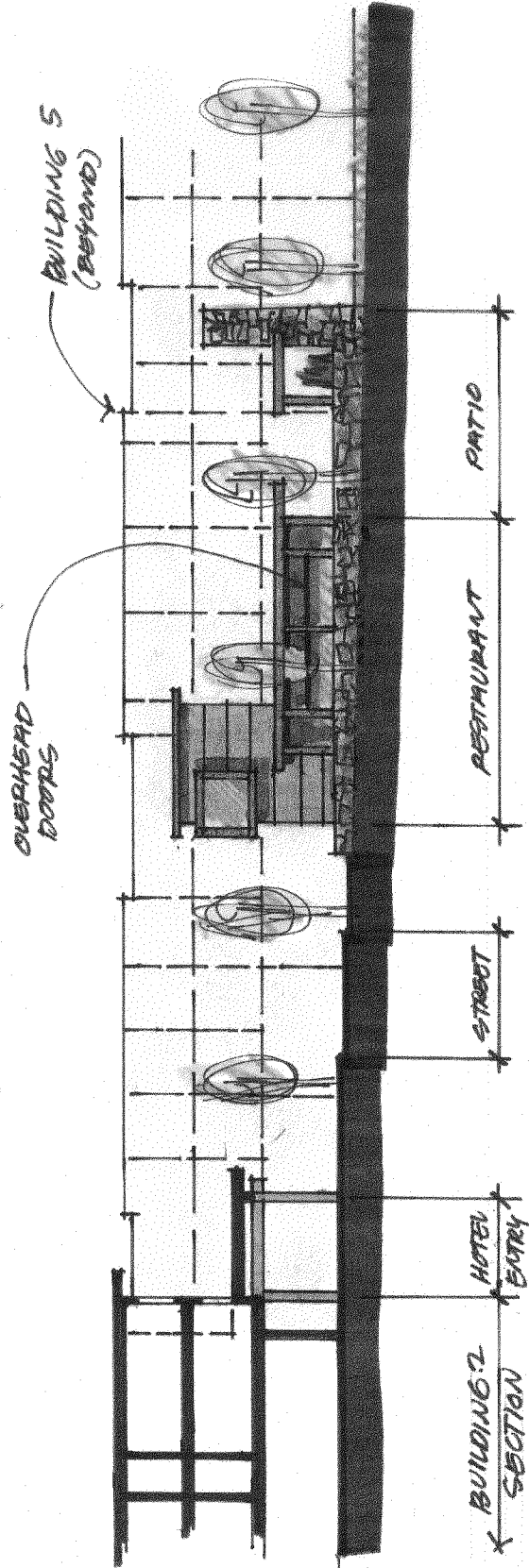


OBLIQUE
VIEW

PARTIAL SOUTH ELEVATION

OBLIQUE
VIEW

PLAZA SECTION - LOOKING NORTH
CC4 01:20



BUILDING 4 CHARACTER STUDY
CCH

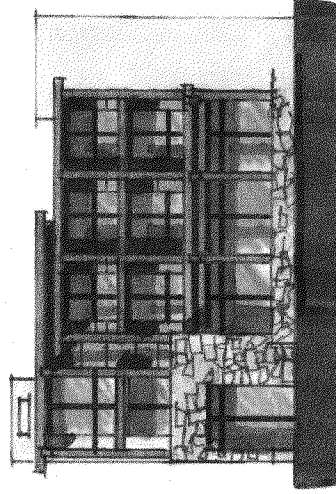
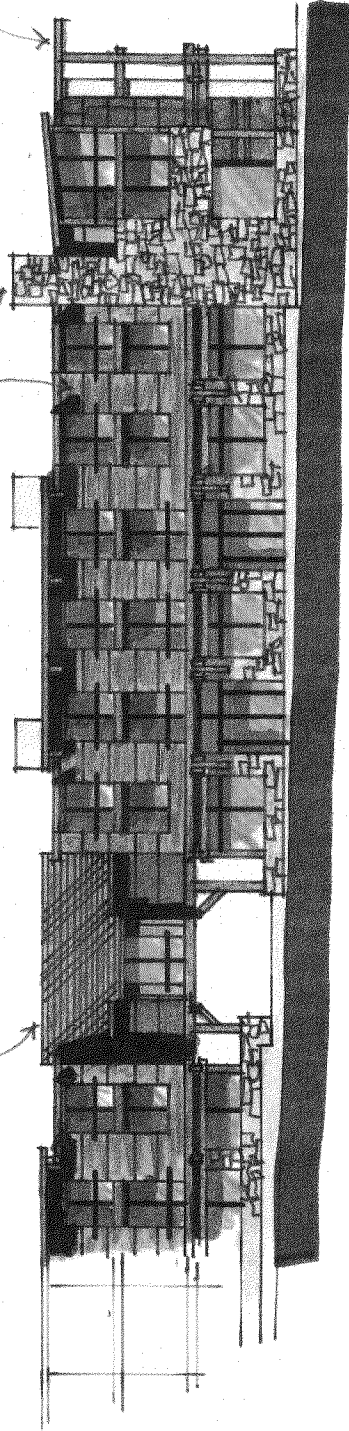
2.24.15

SHINGLE ROOF @ BREAK

WOOD SIDING

NATIVE STONE

HEAVY TIMBERS



PARTIAL WEST ELEVATION
01:20

PARTIAL SOUTH ELEV.
01:20

DW Legacy Design®

